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REPORT OF THE SPECIAL COMMITTEE ~~TO~~ INVESTIGATE ISRAELI  
~~PRACTICES~~ AFFECTING THE ~~HUMAN~~ RIGHTS OF THE POPULATION  
OF ~~THE~~ OCCUPIED TERRITORIES

~~Not~~ by the Secretary-General

The ~~Secretary-General~~ has the honour to transmit to the members of the General Assembly the ~~attaohed repor t, which was~~ submitted ~~tc~~ him, in accordance with paragraph 17 of resolution 41/53 D of 3 December 1986, by the Special Committoo to Investigate Israeli ~~Practices~~ Affecting the Human Rights of ~~the~~ Population of the Occupied Territories.

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LETTER OF TRANSMITTAL

4 September 1967

Sir,

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories has the honour to transmit to you herewith its nineteenth report, prepared in accordance with General Assembly resolutions concerning the Special Committee and, in particular, resolution 2443 (XXIII) of 19 December 1968, by which the Special Committee was established, and resolution 41/63 D of 3 December 1986, the latest resolution by which the General Assembly renewed its mandate.

This report covers the period from 10 September 1986, the date of the adoption of the preceding report, to 31 August 1987. The report is based on oral information received by the Special Committee through testimonies of persons having first-hand experience of the human rights situation in the occupied territories, as well as written information gathered from various sources. The Special Committee has selected, from among these oral and written sources of information, relevant excerpts and summaries, which are reflected in the report. For the purpose of collecting oral testimonies the Special Committee organized hearings that were held at Geneva, Cairo, Amman and Damascus. The Special Committee continued to monitor statements by members of the Government of Israel reflecting the policy of that Government in the occupied territories and reports on measures taken to implement that policy. The Special Committee noted the letters addressed to you and to the President of the Security Council during the period of this report relating to the mandate of the Special Committee, circulated as documents of the General Assembly and the Security Council. The Special Committee received information from organizations and individuals on various aspects of the situation in the occupied territories.

The Government of Israel has not changed its position with regard to the Special Committee in spite of the efforts made in that direction. The Special Committee benefited from the co-operation of the Government of the Arab Republic of Egypt, the Hashemite Kingdom of Jordan and the Syrian Arab Republic, and of the Palestine Liberation Organization in carrying out its mandate.

In preparing its report the Special Committee has attempted to put before you a composite picture of the reality in the occupied territories as it affects the human rights of the civilian population. By this letter the Special Committee wishes to draw your attention to a number of aspects that deserve a particular mention.

His Excellency  
Mr. Javier Pérez de Cuéllar  
Secretary-General of the  
United Nations  
New York

The information contained in the present report reflects the pursuit, by the Government of Israel, of the annexation policy implemented in the territories occupied in June 1967. The period covered by this report coincided with the twentieth year of occupation, and was earmarked by a recrudescence of tension and violence in the territories. According to evidence observed by the Special Committee, it seems that, after 20 years of occupation, the tragedy of the Palestinian people persists.

The young generation of civilians in the territories, which has been born and brought up under the occupation rule, in constant contact with various measures of harassment, humiliation and restrictions upon its basic rights and freedoms, seems determined to oppose the occupant's rule and react against it.

Such an attitude is met by an equivalent determination, both on the part of the Israeli authorities implementing the so-called "iron fist" policy and settlers imposing their authority whenever possible, to counter and repress any manifestation of hostility and protest against the present situation. One particular illustration of this determination was the violent rioting, in June, of armed settlers from Kiryat-Arba and Hebron in the Dheisheh refugee camp.

The deterioration of the situation has been marked by a noticeable increase in the frequency and intensity of daily incidents. The stabbing to death of Eliyahu Amedi, a Jerusalem rabbinical seminar student, was followed by two weeks of widespread unrest and rioting in the Jerusalem area; the entire period covered by the present report witnessed a particularly preoccupying situation in the Palestinian universities and educational institutions! the frequent identity scrutinies exerted by military authorities on students and teachers resulted in incidents that provoked the death of students, the repeated closure of several universities and various measures of harassment against teachers and students such as arrests, administrative detention, restrictions to freedom of movement or deportation.

The burden of the civilian population is further manifested in the treatment inflicted upon thousands of detainees, some of them minors. The denial by the authorities of adequate prison conditions and the hardships endured by detainees have resulted in widespread hunger strikes in almost all the prisons and detention camps in the occupied territories,

In spite of optimistic statements by Israeli officials concerning the economic situation in the occupied territories, such as the affirmation, by the head of the civil administration of the West Bank, that the year 1986 marked "a real economic recovery" in the region, which should continue in the future, contradictions were easily noticeable, in reality, in comparison with the proclaimed achievements. Various obstacles continue to impede positive economic results, and pressures are persistently exerted on workers and farmers. One obvious illustration of the problems faced in the agriculture field is the planned project to pump massive quantities of water to Jerusalem and the Jewish settlements in the areas, which could eventually deplete the water supply in wells used by Arab towns and villages in the drill area. Another illustration of the economic problems is the situation of fisheries along the Gaza Strip coast, which are subjected to various

restrictions in spite of the fact that many families in the region depend on fishing for their livelihood.

The Special Committee has within the constraints imposed by the financial situation of the United Nations endeavoured, in the attached report, to provide a faithful picture of the situation of human rights in the occupied territories. It reiterates its hope that in view of the plight of the civilian population, the international community will be more determined than ever in its efforts to improve the conditions prevailing in the occupied territories.

Please accept, Sir, on behalf of my colleague and on my own behalf, the assurances of our highest consideration.

(Signed) N. WIJEWAPDANE  
Chairman of the special Committee to  
Investigate Israeli Practices Affecting  
the Human Rights of the Population of  
the Occupied Territories

## I. INTRODUCTION

1. The Special Committee **to** Investigate Israeli **Practices** Affecting the Human Rights of the Population of the **Occupied Territories** was established by the General Assembly in resolution 2443 (XXIII) of 19 December 1968. By that resolution, the Assembly decided to **establish** the Special Committee, composed of three Member States; requested the President of the Assembly to appoint the members of the Special Committee; requested the Government of Israel to receive the Special Committee, to co-operate with it and to facilitate its work; requested the Special Committee to report to the Secretary-General as soon as possible and whenever the need arose thereafter; and requested the Secretary-General to provide the Special Committee with all the necessary facilities for the performance of its task.

a. The Special Committee is composed as follows: Mr. Nissanka Wijewardane, Permanent Representative of Sri Lanka to the United Nations, Chairman; Mr. Alioune Sene, Ambassador of Senegal at Bern and Permanent Representative of Senegal to the United Nations Office at Geneva; and Mr. Dragan Jovanic, Professor of Law, President of the Management Board, Faculty of Law, University of Rijeka, Yugoslavia.

3. On 30 May 1987, the Government of Sri Lanka informed the Secretariat that Mr. Daya R. Perera, President's Counsel of Sri Lanka, would attend the meetings of the Special Committee from 1 to 14 June 1987.

4. At the meetings of the Special Committee held from 31 August to 4 September 1987, Mr. Samba Cor Konate, Counsellor at the Permanent Mission of Senegal to the United Nations Office at Geneva attended on behalf of Mr. Alioune Sene.

5. Since October 1970, the Special Committee has submitted 18 reports. 1/ These reports were discussed in the Special Political Committee, which then reported to the General Assembly. 2/ On the recommendation of the Special Political Committee, the Assembly adopted resolutions 2727 (XXV) of 15 December 1970, 2851 (XXVI) of 20 December 1971, 3005 (XXVII) of 15 December 1972, 3092 A and B (XXVIII) of 7 December 1973, 3240 A to C (XXIX) of 29 November 1974, 3525 A to D (XXX) of 15 December 1975, 31/106 A to D of 16 December 1976, 32/91 A to C of 13 December 1977, 33/113 A to C of 18 December 1978, 34/90 A to C of 12 December 1979, 35/122 A to F of 11 December 1980, 36/147 A to G of 16 December 1981, 37/88 A to G of 10 December 1982, 38/79 A to H of 15 December 1983, 39/95 A to H of 14 December 1984, 40/161 A to G of 16 December 1985 and 41/63 A to G of 3 December 1986.

6. The present report has been prepared in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 27127 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), 3525 A and C (XXX), 31/106 C and D, 32/91 B and C, 33/113 C, 34/90 A to C, 35/122 C, 36/147 C, 37/88 C, 38/79 D, 39/95 D, 40/161 D and 41/63 D.

## II. ORGANIZATION OF WORK

7. The **Special** Committee continued **its** work under the **rule** of **procedure** contained in **its** first report to the Secretary-General, **3/ Mr. Wijewardene** (Sri Lanka) continued **to** be Chairman, **except** for the **second** series of meetings during **which** he was replaced by **Mr. Deya R. Perera**.

8. The Special Committee held the **first** of **its** **series** of meetings from 1 **to** 3 December 1986 in New York, after the General **Assembly** allowed its application in the **special circumstances** advanced for holding the meetings pending the renewal of its mandate by the **Assembly**. The Special Committee decided to continue its **system** of monitoring information on the occupied territories and, in reference to paragraph 18 of resolution **41/63 D**, to pay special attention **to** information on treatment of civilians in detention. The Special Committee examined information on the situation in the occupied territories for the period commencing with **the** date of the adoption of its report to the General Assembly (A/41/680) on 10 September 1986. It examined a number of communications referred to it **concerning individual cases of alleged human rights violations in the occupied territories**. **It decided** upon the **organization** of its work for the year. The Special Committee **agreed to address itself to** the Government of Israel and **to the Governments** of Egypt, Jordan and the Syrian Arab Republic with a view to seeking their co-operation in the implementation of its mandate. The Special Committee **also agreed to address itself to** the Palestine Liberation **Organization**. Finally, the Special Committee decided that at its next **series** of meetings it would undertake hearings in the area for the purpose **of** recording relevant information or evidence. On 3 December 1986, the General **Assembly adopted resolution 41/63 D**. **By** this resolution, the General Assembly:

“17. **Requests** the Special Committee, pending the early **termination** of Israeli occupation, to continue to investigate Israeli policies and practices in the Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of **the** population of the occupied territories and to report to the Secretary-General as **soon** as possible and whenever the need arises thereafter”.

9. On 4 **December** 1986, the Special Committee addressed a letter to **the** Secretary-General seeking his intervention in an effort **to secure the co-operation of** the Government of Israel.

10. On 4 December 1986, the Special Committee addressed a letter to the Permanent Representatives of Egypt, Jordan and the Syrian Arab Republic **to** the United Nations in which **it** requested their co-operation and informed them of the **intention** of the Special Committee to conduct hearings in their respective countries.

11. A similar letter was addressed to the Palestine Liberation **Organization** on the same day.



12. The Governments of Egypt, Jordan and the Syrian Arab Republic subsequently responded to the Special Committee, reconfirming their readiness to continue co-operating with the Special Committee.

13. On 16 March 1987, the Permanent Observer of the Palestine Liberation Organization to the United Nations at Geneva addressed a letter to the Secretary of the Special Committee confirming the co-operation of his organization with the Special Committee and informing the Special Committee of the readiness of the Palestine Liberation Organization to facilitate hearings by the Special Committee.

14. The Special Committee held a series of meetings at Geneva (1-11 June 1987), Cairo (4-7 June 1987), Amman (8-10 June 1987) and Damascus (11-14 June 1987). At these meetings, the Special Committee examined information on developments occurring in the occupied territories between December 1986 and May 1987. It had before it a number of communications addressed to it by Governments, organizations and individuals in connection with its mandate. The Special Committee took note of several letters addressed to it by the Permanent Observer of the Palestine Liberation Organization at Geneva and of a number of letters addressed to the Secretary-General by the Permanent Representatives of Jordan and the Syrian Arab Republic on matters related to its report. At Geneva, Amman and Damascus the Special Committee heard testimonies of persons living in the West Bank, the Gaza Strip and the Golan Heights concerning the situation in those territories.

15. At Amman the Special Committee was received by H.R.H. Crown Prince Hassan ibn Talal; the Minister for Foreign Affairs, Mr. Taher Al-Maary; the Minister for Occupied Territories Affairs, Mr. Marwan Dudin; the Minister for Higher Education, Mr. Naser Eddin Al Assad; and the Under-Secretary, Ministry of Labour of the Hashemite Kingdom of Jordan, Mr. Saleh Al Khasawneh, as well as the President of the Royal Committee for Jerusalem Affairs, Mr. Akram Zu'aiter. The Special Committee was presented with reports on the situation in the occupied territories prepared by the various ministries and organizations and it discussed various aspects of its mandate in the course of its meetings with the respective officials. During its stay at Amman the Special Committee met with Sheikh Sayegh, President of the Palestinian National Council, and with Mr. Zuhdi Sa'id, Director General in the Department of Occupied Territories Affairs of the Palestine Liberation Organization, who presented the Special Committee with a number of reports and statistics on the situation in the occupied territories. The Special Committee also received from the Department of Education and Higher Studies of the Palestine Liberation Organization a series of reports and statistics on that situation.

16. At Damascus the Special Committee was received by the Minister for Foreign Affairs of the Syrian Arab Republic, Mr. Farouk Al-Shera. It also conducted consultations with Mr. Dia El-Pattal, Deputy Minister for Foreign Affairs. During its stay at Damascus the Special Committee received from the Departments of Education and Higher Studies and Economic Affairs of the Palestine Liberation Organization a series of reports and statistics on the situation in the occupied territories.

17. During its stay in the Syrian Arab Republic, the special Committee visited the town of Quneitra, where it met with the Governor of Quneitra Province, Mr. Hassan Al-Sakka. It also visited the village of **Hadar** where it observed the occupied village of **Majdal** Shams.

18. The Special Committee met again at Geneva from 31 August to 4 September 1987, when it examined and adopted the present report.

### III. MANDATE

19. The General Assembly, in its resolution 2443 (XXIII) entitled "Respect for and implementation of **human** rights in occupied territories", decided to establish a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, composed of three Member States.

20. The mandate of the Special Committee, as set out in the above resolution and subsequent resolutions, was "to investigate Israeli practices affecting the human rights of the population of the occupied territories".

21. In interpreting its mandate, the Special Committee determined that:

(a) The territories to be considered as occupied territories referred to the areas under Israeli occupation, namely, the Golan Heights, the West Bank (including East Jerusalem), the Gaza Strip and the Sinai Peninsula. Following the implementation of the Egyptian-Israeli Agreement on Disengagement of Forces of **18** January 1974 and the Agreement on Disengagement between Israeli and Syrian Forces of **31** May 1974, the demarcation of the areas under occupation was altered as indicated in the maps attached to those agreements. The areas of Egyptian territory under Israeli military **occupation** were further modified in accordance with the Treaty of Peace between the Arab Republic of Egypt and the State of **Israel** that was signed on 26 March 1979 and came into force on 25 April 1979. On 25 April **1982**, the Egyptian territory remaining under Israeli military occupation was restituted to the Government of Egypt in accordance with the provisions of the aforementioned agreement. Thus, for the purposes of the present report, the territories to be considered as occupied territories are those remaining under Israeli occupation, namely, the Golan Heights, the West Bank (including East Jerusalem) and the **Gaza** Strip;

(b) The persons covered by resolution 2443 (XXIII) and therefore the subject of the investigation of the Special Committee were the civilian population residing in the areas occupied as a result of the hostilities of June 1967 and those persons normally resident in the areas that were under occupation but who had left those areas because of the hostilities. **However**, the Committee noted that resolution 2443 (XXIII) referred to the "population" without any qualification as to any segment of the inhabitants of the occupied territories;

(c) The **"human rights"** of the population of the occupied territories consisted of **two** elements, namely, those rights which the Security Council referred to as "essential and inalienable human rights" in its resolution 237 (**1967**) of

14 June 1967 and, secondly, **those** rights which found their basis in the protection afforded by international law in particular circumstances such as military occupation and, in the case of prisoners of war, capture. In accordance with resolution 3005 (XXVII), the Special Committee was also required to investigate allegations concerning the exploitation and the looting of the resources **of** the occupied territories; the pillaging of the archaeological and cultural heritage **of** the occupied territories; and interference in the freedom of worship in the Holy Places of the occupied territories;

(d) The "policies" and "practices" affecting human rights that came within the scope of investigation by the Special Committee referred, in the **case of** "policies", to any course of action consciously **adopted** and pursued by the Government of Israel as part of its declared or undeclared intent; while "practices" referred to those actions which, irrespective of whether or not they were in implementation of a policy, reflected a pattern of behaviour on the part of the Israeli authorities towards the civilian population in the occupied areas.

**22.** Since its inception the Special Committee has relied on the following international instruments in interpreting and carrying out its mandate:

(a) The Charter of the United Nations;

[b] The Universal **Declaration** of Human Rights;

(c) The Geneva Convention **relative** to the Protection **of** Civilian Persons in Time of War, of 12 August 1949; **4/**

(d) The Geneva Convention **relative to the Treatment of Prisoners of War**, of 12 August 1949; **5/**

(e) The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, of 14 May 1954: **6/**

(f) The Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land: **7/**

(g) The International Covenant on Civil and Political Rights, and the International Covenant on Economic, **Social** and Cultural Rights. **8/**

**23.** The Special Committee has also relied on those resolutions **relevant to the situation of civilians in the occupied territories adopted by United Nations** organs, the General Assembly, the Security Council, the **Economic** and Social Council and the Commission on Human Rights, **as well as the relevant resolutions of the United Nations Educational, Scientific and Cultural Organisation, the World Health Organization** and the International Labour Organisation.

#### IV. INFORMATION AND EVIDENCE RECEIVED BY THE SPECIAL COMMITTEE

24. In the course of carrying out its mandate, the Special Committee has relied on the following sources:

(a) The testimony of persons with first-hand knowledge of the situation of the population in the occupied territories;

(b) Reports in the Israeli press of pronouncements by responsible persons in the Government of Israel;

(a) Reports appearing in other news media, including the Arab language press published in the occupied territories, in Israel and the international press.

The Special Committee received written statements from the Governments of Jordan and the Syrian Arab Republic, and from the Palestine Liberation Organization. The Government of the Syrian Arab Republic has provided the Special Committee with information on the situation in the Golan Heights. The Government of Jordan and the Palestine Liberation Organization have provided the Special Committee with monthly reports on the situation in the occupied territories covering respectively the periods from December 1986 to May 1987 and from November 1986 to May 1987. In addition, the Special Committee received written information from non-governmental organizations and individuals on the situation in the occupied territories.

25. The Special Committee undertook a series of hearings at Geneva, Amman and Damascus during its meetings from 1 to 14 June 1987. At these meetings, the Special Committee heard the testimony of persons having a first-hand knowledge of the human rights situation existing in the occupied territories. These testimonies are contained in documents A/AC.145/RT.458 and RT.462 to 467, and are reflected below.

26. The Special Committee has taken particular care to rely on information appearing in the Israeli press that has not been contradicted by the Government of Israel or that is commonly considered as reliable by the Government.

27. In the course of carrying out its mandate, the Special Committee has taken note of information reaching it through a variety of sources, such as individuals, organizations and Governments. At its meetings, the Committee had before it several communications addressed to it, directly or referred to it by the Secretary-General, from sources inside the occupied territories, as well as from several parts of the world. Where necessary, the Committee has followed up information contained in these communications.

26. The following paragraphs contain a summary of the information examined by the Special Committee divided as follows:

(a) General situation;

(b) Information concerning arrests, detentions, trials and sentences;

(c) Treatment of civilians, including fundamental **freedoms**;

(d) Treatment of detainees<sup>7</sup>

(a) **Annexation and settlements**;

(f) **Golan Heights**.

29" This information has **been** divided into oral evidence and written information. In order **to** comply with restrictiona on the volume of **documentation** now enjoined upon United Nations **reports**, the **Special** Committee has endeavoured to present this information in the most compact and conoiee form possible. Oral **evidence, for** which a full record of **testimonies** is available in documents **A/AC.145/RT.458** and **aT.462** to 467, **has been condensed to a** general indication of the **contents** of **such records**. The report also **attempts to summarize** written information, on matters suoh as arrests, administrative **detentions** and sentences, collective punishment and measures **affecting** the freedom of movement.

#### A. General situation

##### 1. General policy developments

#### Written information

30. On 5 **November 1986**, tho head of the **West Bank** civil administration, **A/M** (Col.) Efraim Sneh, held a **press** conference at Neblue on the occasion of the **publication of the civil administration's annual report**. **A/M Sneh** said that local **West Bank leaders** were free to **work** through Jordanian and Israeli **channels simultaneously**, receiving funds from **Amman** and approval from the **civil** administration for programmes **or services**. Other points **made by A/M Sneh** included the followinqr during **the fiscal year 1985/86**, ending on 1 April, the **West Bank** auffered a 4 per **oent** decline in its **gross** national product and an 8 per cent **decline** in agr icultural income, Unemployment remained at 3 or 4 per cent. Total cultivated land increased **by 4.4** per cent. **Income** from industry **increased** by 9 per cent. **A/M Sneh** eaid that **the number** of people under administrative detention **was 20-30** per cent lower than **a** year earlier, despite a **recant** rash of six-month detent **ions**. There was a 250 per cent increase in **the number** of complaints brought before **the criminal court system on the West Bank**. The annual report noted that 90 cases had been submitted to the **High Court** of Justice **over the** past year, on primarily security-related issues, as compared to **59** the previous year. (Jerusalem Post, 6 November 1986)

31. On **25 March 1987**, Knesset members Abba Eban and **Ora** Namir (Labour Alignment) met with **Al-Fajr** editor Hanna Siniora, Bethlehem mayor **Elias Freij** and **Nablus businessmen** Basil and Said Kanaan. At the end of the meeting, held at West Jerusalem, a joint **etatement** was signed **calling** for peace talks at an international conference. On 26 March 1987, Foreign **Minister Shimon** Peres met with **three** pro-Palestinian Liberation Orqanization notablee: **Hanna Siniora**, **Gaza** lawyer **Fayez Abu Rahme** and Bir **Zeit** University professor Sari **Nusseibeh**. (**Ha'aretz**, Jerusalem Post, 26 and 27 March 1987)

32. On 14 May 1987, the outgoing Central Region Commander, Aluf (Maj.-Gen.) Ehud Barak, held a press conference in which he commented on various aspects of the situation in the West Bank. He said that the Israeli Defence Forces (IDF) had recently developed improved, non-lethal riot-control techniques for use against Arab demonstrators. Barak said that the IDF was investigating cases in which Arab demonstrators had been killed or wounded, and that it would not hesitate to punish soldiers found guilty of violating standing orders. Referring to vigilante activities by settlers in the territories Aluf Barak warned that Jewish rioters would be treated like common criminals. (Ha'aretz, Jerusalem Post, 15 May 1987)

33. On 26 May 1987, heads of councils of Jewish settlements in the West Bank met with the chief of staff, R/A Dan Shomron, to discuss the punishment policy towards perpetrators of terrorist acts. The settlers' representatives demanded heavier penalties for persons found guilty of breaking the peace or of carrying out terrorist acts. They also demanded a stricter control of Arab movement around and between the Jewish settlements, and the setting up of Jewish civil defence units to patrol the settlements and their neighbourhood. (Ha'aretz, Ma'ariv, 27 May 1987)

34. On 14 June 1987, the Committee Confronting the Iron Fist, a group of Israelis and Palestinians co-ordinating joint action against the occupation, organized a protest march in East Jerusalem, attended by some 300-400 Palestinians and some 40 Israelis. (Jerusalem Post, 15 June 1987)

35. On 26 June 1987, it was reported that the Water Commission and the Mekorot company were planning a project of drilling near Herodion, south-east of Bethlehem, in order to pump massive quantities of water to Jerusalem and to Jewish settlements in the area. According to sources associated with the project, the pumping could eventually deplete the water supply in wells used by Arab towns and villages in the drill area, including Bethlehem, Beit Jala and Beit Sahur. According to the report, official estimates had it that 42 per cent of the 100 million cubic metres of water pumped annually in the West Bank already went to Jewish settlements, and while existing wells owned by Arabs and the civil administration served Arab communities, virtually no new permits were given to West Bank Arabs to drill new wells. It was reported on 3 July 1987 that Defence Minister Rabin had approved in principle the water-drilling project near Bethlehem. On 7 July 1987, the Co-ordinator of Activities in the Territories, Shmuel Goren, told reporters that the civil administration would enter negotiations on the project on condition that Arab rights were not infringed on in any way. (Ha'aretz, 29 June and 7 July 1987; Jerusalem Post, 26, 28 and 30 June 1987 and 2, 3 and 7 July 1987)

36. On 8 July 1987, the Inner Cabinet approved a plan calling for the transfer from the East Jerusalem Electric Corporation to the Israel Electric Corporation of a concession to supply power to Jewish settlements and some areas in East Jerusalem, at present supplied by the East Jerusalem Electricity Company. The latter would continue to supply current only to Arab quarters of Jerusalem and to Arab neighbourhoods outside the city. On 9 August 1987, the Government voted, with a majority of 15 to 4, to reduce the concession of the East Jerusalem Electricity Company by more than one half, restrict it to Arab localities in the West Bank and to Arab neighbourhoods in East Jerusalem, and extend it until the year 2000. The decision was welcomed by settler leaders but was rejected by officials of the

company and its head, Hannah Nasser. On 11 August 1987, the Arab company's workers held a sit-in strike at the company's office. The head of the company workers' union, Nabil Azza, expressed particular concern over plans to fire 200 of the 450 workers. On 17 August 1987, a partial business strike was observed in East Jerusalem and the company workers staged a second sit-in strike. (Ha'aretz, 10, 16 and 18 August 1987; Jerusalem Root, 9-13 July 1987 and 10, 11, 17 and 18 August 1987)

37. On 24 July 1987, it was reported that the National Insurance Institute had recently started to implement a decision designed to encourage Arab residents of Jerusalem's Old City to move to the West Bank. Some 30,000 Arabs, holders of Jerusalem identity cards, but who no longer lived in the city, started to receive old age pensions, maternity grants and other allowances that were not normally granted to the Arab residents of the territories, unless they were employed in Israel. Most of the Arabs concerned reportedly lived in areas close to the Jerusalem municipal boundaries, and in particular at Elzariya, and A-Ram and Dahiyat al-Barid, north of Jerusalem. (Ha'aretz, 24 July 1987)

## 2. Increase of tension and incidents

### Oral evidence

38. In the course of his testimony one of the witnesses, Mr. Akram Haniyeh, the deported editor of the Arabic language daily Al-Sha'ab referred to the increasing climate of tension in the occupied territories, and to the fact that he believed that after 20 years of occupation, the tragedy of the Palestinian people had reached its climax. (A/AC. 145/RT. 458)

### Written information

39. The following paragraphs give a brief account of some of the main incidents recorded during this period. The period under consideration was marked by a noticeable increase in the frequency and gravity of incidents and by a general aggravation of the already tense climate prevailing in the occupied territories.

40. On 7 October 1986, Defence Minister Yitzhak Rabin reportedly ordered that a regular paratroop unit be sent to Gaza for an unlimited period. It was also decided to step up military presence in that town. The decisions followed the stabbing to death of an Israeli civilian on 7 October 1986, the second Israeli to be murdered in Gaza over the preceding fortnight. (Ha'aretz, 9 October 1986)

### The incidents at Jerusalem following the killing of Eliyahu Amedi

41. On 15 November 1986, three residents of Jenin stabbed to death a student of a yeshiva (rabbinical seminar) situated inside the Muslim quarter of Jerusalem's Old City. The student was named as Eliyahu Amedi, aged 22. On 16 November 1986, the three suspects reportedly confessed to the killing. During the funeral procession of Amedi, there were serious disturbances. Later in the day violent demonstrations spread to the Jewish neighbourhoods of Sanhedria and Shemuel Hanavi, in West Jerusalem, where the family of the slain student lives. Later in the night

three petrol bombs were thrown from the yeshiva at Arab houses adjoining it. On 17 November 1986, it was reported that 30 Arabs had so far filed complaints with the police over personal attacks or material damage caused to them. On 18 November 1986, Arab shopkeepers observed a total business strike in the Old City and in most of East Jerusalem, in protest against the continuing anti-Arab attacks following the murder of Eliyahu Amedi. On 19 and 20 November 1986, sporadic incidents were reported in the Old City and in the Shemuol Hanavi neighbourhood. On 23 November 1986, a memorial gathering was held in the Old City for Eliyahu Amedi. It was attended by hundreds of Jews, including yeshiva students and Kach activists. The memorial procession was accompanied by anti-Arab attacks and shouts. The police chief revealed that a dozen Arab families had moved out of flats in the vicinity of the yeshiva, but they could be expected to return shortly. He also revealed that two Arabs had been arrested the previous week after they tried to stab a Jew in the Old City. He reported that the violence at Jerusalem had forced the police to ask for a detachment of IDF troops to help maintain law and order. He said that 37 Jews and 8 Arabs had been arrested during the week. On 25 November 1986, the chairman of the Supreme Muslim Council at Jerusalem, Sheik Sa'ad a-Din al-Alami, appealed for international action to protect the Arab population of Jerusalem. On 26 November 1986, sporadic anti-Arab violence continued in Jerusalem. On 27 November 1986, an incident occurred opposite the spot where Eliyahu Amedi was stabbed, involving members of his family and local Arab residents. On 29 November 1986, a special team was set up at Jerusalem police headquarters to investigate the chain of events following the murder of Eliyahu Amedi. (Jerusalem Post, Ma'ariv, 16, 20, 21 and 24 November 1986; Ha'aretz, Jerusalem Post, Ma'ariv, 17, 18 and 19 November 1986; Jerusalem Post, Yediot Aharonot, 26 November 1986; Jerusalem Post, 27, 28 and 30 November 1986)

#### Incidents following the killing of two Palestinian youths at Bir Zeit University

42. On 4 December 1986, the IDF set up road-blocks on the road leading from Ramallah to Bir Zeit. Troops scrutinized identity cards of all students and teachers entering the campus. Students staged a sit-in strike in protest. Troops arrived at the scene and, immediately after warning the demonstrators to disperse, fired tear-gas grenades at them from close range. An Arab professor, Saleh Abdel Jawad, who according to Israeli military sources incited students to block the road, was allegedly kicked, beaten, dragged to an army jeep and detained. This incident sparked off riots. As a result 2 students were shot dead and 11 others were injured, including 1 seriously. The 2 dead were identified as Jawad Abu-Salmieh, from Khan Yunis, a physics and chemistry student, and Saeb Mahmoud A-Dhahab from the Jebel refugee camp near Gaza, a social science student, both aged 22. On 5 December 1986, several dozen youths rioted in the Balata refugee camp and stoned an IDF patrol. Troops ordered them to stop, then fired warning shots in the air and, when the stone-throwers still failed to obey orders to stop, shot in the direction of their legs. A 14-year-old boy, Majed Khalil Abu-Dar'a was critically wounded in the chest. He was taken to Rafidiya hospital at Nablus, where he later died. The camp of Balata was placed under curfew. The killing of the two Bir Zeit students and the Balata boy triggered off a wave of disturbances, demonstrations, clashes with security forces and business and school strikes throughout the West Bank and the Gaza Strip. On



8 December 1986, following a demonstration at the **Balata** refugee camp near **Nablus**, a **12-year-old** boy, **Ramadan** Mohammed Abu-Zeitun, was reportedly killed in unclear circumstances. **Four other** residents were injured from **IDF** shots. **At Abu Die**, near Jerusalem, a local **resident**, Ahmed Said, aged 25, was killed when **troops** fired **shots to disperse a crowd** blocking a road. **Stone-throwing** incidents and other **serious** disturbances continued in **many** areas in the territories. **Dozens** were **arrested**. Several people, Israeli civilians and **troops** as well as Palestinians, were reportedly injured in the incidents. The old campus of Bir **Zeit** University was ordered closed for three **weeks** and **Al-Najah University** for **one week**. **Disturbances were** also reported in **the Gaza Strip**. **Curfew** was imposed **for** several **hours** in the centre of **Ramallah** and **El-Bireh** and **at** Balata. On 11 December 1986, it was reported that, according **to** investigators examining the death of the **12-year-old boy** at **the** Balata refugee camp, the **shots** that killed the **boy were** fired from a **car carrying** settlers and soldier<sup>8</sup> that passed **by** the camp at the time the boy was killed. On 30 and 31 March 1987, reports were published on the preparation for, and the celebration of the eleventh "**Land Day**" in the territories, in solidarity with **Israel's** Arab population. In **order** to **prevent organized violent disturbances** the security forces carried **out** a wave of preventive arrests and administrative detentions. Bir **Zeit**, A-Najah and Bethlehem Universities **were** ordered closed **for one week**. Incidents occurred at **Jenin**, in the **Asker** and **Balata** refugee **camps**, and at El-Bfreh. There **were** business **strikes at Nablus, Ramallah** and **El-Birch**. Police briefly detained armed settlers from **Kiryat-Arba** and **Hebron** who had escorted Israeli **buses on the Jerusalem-Hebron road**. A dozen **Arabs** were detained on **suspicion** of disturbing the peace and incitement. On 6 April 1987, it **was reported that** the families of two **Bir Zeit** students killed by IDF troops during violent demonstrations in **December 1986** had **demanded** in a **letter** to Defence Minister Rabin and Attorney-General Yosef Harish, submitted through Adv. Felicia **Langer**, that those responsible for the deaths **be** tried for murder. (Ha'aretz, Jerusalem Post, 5, 7 and 8 December 1986 and 31 March 1987; Ha'aretz, Yediot Aharonot, 9 December 1986; Ha'aretz, Jerusalem Post, Yodiot Aharonot, 11 December 1986; Jerusalem Post, 6 April 1987)

43. On 15 April 1987, some **50** Jewish worshippers were allowed **by** police, **7 at a** time, to enter **the Temple Mount** and walk around the **Dome of the Rock**. The **operation** was carried **out in** a tense atmosphere. In a letter to Minister of Police **Haim Bar-Lev**, the mayor of Jerusalem, **Teddy Kollak**, wrote that the **visit by the** Temple Mount faithful was in defiance of a **1967 government decision to ban such visits**. (Ha'aretz, 16 April 1987; Jerusalem Post, 16 April 1987)

44. On **4 August 1987**, it **was** reported that following the murder in **Gaza** of an Israeli officer a tight curfew was imposed **in the Gaza Strip**. **Some** 4,500 workers from the region **were** reportedly denied entry to Israel and could not collect their wages on the eve of the four-day Muslim feast of the Id al-Adha. **Some** 1,500 refugee camp households were reportedly particularly hard hit **by the** curfew, as their livelihood depended on fishing. Several **shopowners** near the **scene** of the murder were being detained. The curfew **in** Gaze, except for the street where the murder was committed, was reportedly lifted in the evening of **4 August 1987**. Families inside the curfew **zone** said their **homes** had **been** searched **repeatedly by** IDF troops and that **young men** had **been** arrested. They said they were running short of **food supplies**. (Ha'aretz, Jerusalem Post, 4 and 5 August 1987; Al-Fajr, 16 August 1987)

4s. On 9 August 1987, it was reported that the IDF had set up an encampment along the road to **Alfoi-Menashe** settlement and begun groundbraaking work for an outpost on a hill from which a patrol bomb had been thrown earlier. Military sources said that the round-the-clock presence of troops facilitated more frequent patrols and a quicker response in the event of an attack. Other security measures envisaged by the IDF included the cutting of paths to five locations on neighbouring hills overlooking the road, the levelling of the areas and their use as day and night look-out points by motorized patrols along the road, (Ha'aretz, Jerusalem Post, 9 August 1987)

### 3. Policy of returning municipalities to local leaders

#### Written information

46. The following table shows a sample of reports containing information on the appointment of local leaders to various municipal functions by the occupation authorities. The following abbreviations of the names of the newspapers are used in the table:

H Ha'aretz  
JP Jerusalem Post

Date of appointment	Name	Place	Title	Source
	Yueuf Ghanem	Deir-Dibwan, near Ramallah	Head of local council	H, 21.09.86
28.09.86	Khalil Musa Khalil	Ramallah	Mayor	H, JP,
28.09.86	Hassan A-Tawil	El-Bireh	Mayor	29.09.86
28.09.86	Dr. Abdel Maj id A-Zir	Hebron	Mayor	JP, 01.10.86
22.10.86	Tahor Hi jazi	Anabta	Mayor	H, 23.10.86
23.02.87	Mansour Daout Shahin	Elr Zeit	Head of local council	H, 28.02.87

## **B. Information concerning arrests, detentions, trials and sentences**

### **1. Palestinians**

#### **(a) Arrests and administrative detention orders**

##### **Oral evidence**

47. **Some witnesses** described their **personal** experience of administrative detention. (A/AC.145/RT.458, Mr. Akram Haniyeh; A/AC.145/RT.462, Mr. Khalil Aehour)

##### **Written information**

48. During the period under consideration, the Special Committee received a considerable number of reports from various newspaper & providing information on arrests and the issuing of administrative detention orders concerning Palestinians in the occupied territories. Such information included, in most cases, relevant details such as the date, the subject(s), the place, the duration (in the case of administrative detention) and the motive invoked. According to this information there was, during the period covered by the present report, a noticeable increase in the number of arrests and, in particular, administrative detention orders. The number of arrests recorded by the Special Committee was in the order of 500. As to administrative detention orders, the Special Committee noted approximately 80 cases during the period under consideration.

#### **(b) Sentences**

##### **Written information**

49. During the period under consideration, information was received on sentences passed against Palestinians in the occupied territories. Such information included relevant details such as the date, subject(s), place, duration and motive of the sentence. According to this information, a number of heavy sentences, including life sentences, were passed against Palestinians. Persons sentenced included minors, some aged 13 to 15. On the basis of the information it received, the Special Committee recorded some 60 sentences during this period.

#### **(c) Releases**

##### **Written information**

50. During the period under consideration, a few releases were also reported in the press published in the occupied territories.

### **2. Israelis**

##### **Written information**

51. During the period under consideration, it was reported that a few Israelis charged with murder or mistreatment of Arab civilians had been sentenced to various

**terms. In contrast to the harsh sentence passed on Palestinian civilians, the sentences passed on those Israelis denoted the relative leniency of the authorities.**

**C. Treatment of civilians, including fundamental freedoms**

**1. General developments**

**(a) Harassment of civilians**

**Oral evidence**

**52. A number of witnesses testified on various problems encountered by civilians in their daily life as a result of occupation. References were made to humiliating practices against the Palestinian population, particularly former detainees:**

**"I remained in detention until 24 April 1962, and when I was allowed to leave I received an identity card that carried 11 stamps. Each of these was a triangle inside which there was a circle, and each of those stamps meant to the occupation authorities that the bearer of that identity card was an ex-prisoner. Such an identity card then becomes a licence to the occupation authorities to harass the bearer of that card, preventing him from travelling, from acquiring a job, and requiring him every week or every 10 days to report to one of the intelligence personnel. He would then be told to wait from 6 o'clock in the morning till 10 o'clock in the evening. Then his identity card would be taken from him, and then he would be told to come back the following day, and so on." (Khalil Ashour, A/AC.145/RT.462)**

**53. Problems encountered by foreigners married to Palestinians, as well as problems regarding the health situation in the occupied territories, were also referred to by witnesses:**

**"Even people who carry foreign passports, who are not Palestinians themselves but have some relation by marriage or as in-laws, that kind of thing, are selected by the Israelis on the bridge and given a very difficult time over their entry, and I am experiencing that right now." (Anonymous witness, A/AC.145/RT.462/Add.1)**

**54. The same witness referred to the problems regarding the health situation in the occupied territories:**

**"To me, there are no health services in the West Bank. You have the government hospitals that were there before 1967. They are very dirty, they are under-equipped. The basic public health laboratories do not have the equipment, they are not allowed to purchase, they are given no budget. How health care is being done is by local Arab private charitable societies that usually set up village clinics to try to serve their people, but they are only a very small area. But even in order to do that, as I said, just as you have a veto over the water committees, so too the charitable societies have to apply to the Ministry of Health in order to get a licence to open a clinic or a laboratory." (A/AC.145/RT.462/Add.1)**

55. Tootimonioe relating vaciouo aspects of tho haraoamont of civilians may be found in documents A/AC.145/RT.462 (Mr. Khalil Ashour, Mc, Ahmad Naooc) ; A/AC.145/RT.462/Add.1 (an anonymouo witness) ; A/AC.145/RT.463 (Mr. Yussouf Zahloul) ; and A/AC. 145/RT. 464/Add. 1 (an anonymous witness) ,

#### Written information

56. On 11 September 1986, it was alleged that Israeli petrols had been harassing residents of the Kalandiya cefuqoo camp over tha previous Pow days. According to the report, local youtho were subjected to searches day and night at thu camp entrance and thorough searches were oaccied out on cars. Similar allegations were made with regard to the Jalazun cefuqeo camp, near Ramallah. (Al-Fajr, 19 September 1986)

57. On 16 October 1986, a general strike was held in Gaza to protest alleged harassment and humiliation by the seoucity foroes in the wake of tho murder, on 7 October 1986, of an Israeli taxi driver in the uontco of Gaza. (Ha'aretz, Jerusalem Post, Al-Fajr, 17 Ootobec 1986)

58. On 13. March 1987, the family of Rashad al-Kocaki was reportedly forcibly evicted from its home in the Muslim quarter of Jerusalem's Old City. Tho eviction operation was reportedly oarcied out by Israeli soldiers who refused to ohow an eviction order. Identity cards of Rashad al-Karaki and his wife, as well as legal papers concerning the house, were confiscated. (Al-Fajr, 13 March 1987)

59. On 15 March 1987, it was reported that the High Court of Justice had rejected an application by three Hebron shopkeepers against the construction of a security fence in front of their stores on the ground floor of tha Hadassah building. (Jerusalem Poet, 15 March 1987)

60. On 5 April 1987, the Palestinian Family Reunification Committee hold a demonstration in front of the Prime Minister's office at Jerusalem. The Committee, oetablished three months earlier, had some 1,000 families who had boon refused reunification requests. According to the organizers, some 5,000 unification requests have been oubmitted in recent years. Israeli officials said that positive responses had been restricted in order to prevent a mass influx Of now residents, "which would strain the already taxed resources of the territories". On 5 August 1987, it was reported that the civil administration in the West Bank had granted requests by 350 Palestinians to join relative8 and become pormanont residents in the West Bank under family unification arrangements. (Jerusalem Post, 6 April 1987; Ha'aretz, 5 Auguot 1987)

61. On 10 June 1987, the Jocuealem district police convicted a border guard, Yona Zuchov, 24, of causing injury in aggravated cicoumetanooe to a 7-year-old Arab boy. The border guard admitted that he had apprehended the boy three w as earlier as the latter walked out of the Temple Mount towacde the Wailing Wall arua. Ho dragged the boy to the Wall and beat his head against it, causing woundu that required several stitches. (Ha'aretz, Jerusalem Post, 11 Juno 1987)

62. On 26 July 1987, it was reported that thousands of Palestinians were waiting on the Jordanian side of the Jordan bridge to be able to enter the West Bank as visitors, following a decision by the civil administration of the West Bank to reduce the number of summer visitors. (Ha'aretz, 26 July 1987)

(b) Collective punishment, including demolition of houses

Oral evidence

63. Various accounts were made of the repression suffered by a group of people or whole community as a form of collective punishment, by way of imposing curfews or demolishing or sealing houses or rooms on the pretext that the owners did not have a building licence, or under the allegation that owners were carrying out activities against the occupying authorities.

64. Such accounts may be found in documents A/AC.145/RT.462 (Mr. Khalil Ashour); A/AC.145/RT.462/Add.1 (an anonymous witness); and A/AC.145/RT.463 (Mr. Yussef Zahloul).

Written information

65. During the period under consideration, the Special Committee received reports from various newspapers providing information on different forms of collective punishment applied against the civilian population. Such information included relevant details such as the type of punishment [house or room sealing; house demolition; preventing of the reopening of shops]; the subject(s) of punishment; the place and motive invoked. According to this information, the period considered witnessed several cases illustrating the condemned practice of house demolition used as a form of collective punishment.

(c) Expulsion and deportation

Oral evidence

66. The Special Committee heard several statements on the practice of expulsion and deportation of Palestinians from the occupied territories. A number of witnesses stressed the political reasons behind this practice. Mr. Akram Haniyeh, the deported editor of the East Jerusalem daily Al-Sha'ab, stated in that connection:

"... I would say that I was chosen to be deported, first, because my voice was louder than others in saying that we, the Palestinians of the occupied territories, are for self-determination, for freedom; secondly, my work as a journalist, as a writer also, made my voice louder than others; so I was chosen because of that." (A/AC.145/RT.458)

The illegal nature of the deportation procedure was outlined in some testimonies. The Special Committee also heard accounts of the actual difficult physical conditions of the deportation process:

"On the fiftieth day of my detention, they took me, and **Marwan** Barghouti, who was a fourth-year student at Bir **Zeit** University, to Beersheba prison, which is in the **Negev**, in the south. We spent 24 hours in a darkened cell with two beds but no blankets; we were given no food. The sanitary facilities were not operating. In the morning a number of Israeli soldiers took us to **Wadi Araba**. We were blindfolded, handcuffed and our feet were bound. They made us lie down in the vehicle and they put their feet on us. Throughout the trip they kicked and punched us. We came to a building where they took off the blindfolds, the handcuffs and the ropes that had bound our feet. They re-read the deportation order to us and asked us to **sign** it, but we refused because we were nationals and had the right to remain in our country, and because that deportation was in contravention of the Fourth Geneva Convention on the rights of civilian populations under occupation. They made us strip, they took photographs from every angle, and a military doctor came who gave us a medical examination. Then once again we were blindfolded and handcuffed and they took us 30 km and handed us over to the Jordanian military authorities after giving us back the money that had previously been taken from us. But they did not give back my passport, my university identity card or my birth certificate, although I do not really know why. So today I have no identity card, living here in Jordan." (Khalil **Ashour**, A/AC.145/RT.462)

67. Testimonies referring to the problem of expulsions and deportations may be found in documents A/AC.145/RT.458 (Mr. Akram Haniyeh], A/AC.145/RT.462 (Mr. Khalil **Ashour**, Mr. **Marwan** Earghouti), A/AC.145/RT.463 (Mr. Jihad Karashouli, Mr. Bader Sumsain, Mr. Yussef Zahloul).

#### Written information

68. On 3 November 1986, the security authorities issued an expulsion order against Akram Haniyeh, the editor of the East Jerusalem daily Al-Sha'ab, whom they accused of hostile activity on behalf of the Palestine Liberation **Organization**. Haniyeh denied the charges and said the reasons for the order were political. Haniyeh was reportedly detained in the Central West Bank prison, at Jneid, Nablus. On 6 November 1986, late at night, a military advisory committee unanimously decided to reject **Haniyeh's** appeal against his expulsion and recommended that the decision be upheld. On 11 November 1986, the High Court of Justice issued an order nisi preventing the expulsion of Akram Haniyeh until it ruled on the legality of the matter. The court ordered the military authorities to show **cause** within 14 days why the expulsion should not be cancelled. According to the petition to the High Court filed by Adv. Felicia banger, the military advisory committee that recommended the expulsion acknowledged that there was no evidence Haniyeh was involved in terrorist actions, but concluded that his "subversive activities cause far more damage than specific terrorist actions would have". On 16 **December** 1986, the office of the State Attorney presented to the High Court of Justice 311 classified documents purporting to prove that Akram Xaniyeh, editor of the East Jerusalem daily Al-Sha'ab was a "senior **Fatah** activist". The documents were submitted in **support** of the State's position that the order to **deport** Haniyeh should not be cancelled. On 26 December 1986, Akram Haniyeh withdrew his application to the High Court against the expulsion order. In a statement dictated to his lawyer Felicia **Langer**, Haniyeh said he had decided to withdraw his

application "after the court session in which the judges refused to give me or my lawyers an opportunity to see the secret material brought against me in order to rebut it and defend myself,, . On 28 December 1986, Haniyeh was expelled from Israel to Algeria, via Zurich. Red Cross representatives supervised the operation. ICRC later condemned the Israeli decision and said it ran counter to the Geneva Convention, which prohibited an occupying Power from deporting a person from an occupied territory. (Ha'aretz, Jerusalem Post, Ma'ariv, 4 November 1986; Ha'aretz, 7 November 1986 and 15 and 29 December 1986; Jerusalem Post, 6, 11 and 25 November 1986, and 17 and 28 December 1986; Ha'aretz, Jerusalem Post, 9 and 12 November 1986)

69. On 12 March 1987, Reja Arbi'a, a 19-year-old woman suffering from a heart ailment, and mother of a one-month-old baby, was deported from the Gaza Strip to Egypt following the expiry of her visitor's permit. The deportation was carried out despite a written statement by her Israeli doctor that she was too ill to travel. Raja Arbi'a, daughter of a Palestinian family residing at Dubai, married a Gaza resident, Mohammed Arbi'a, in 1985, but had been unable to reside permanently with her husband in the area because their request for family unification was rejected. In a related development, it was reported on 16 March 1987 that Amal Abd el-Karim, an Egyptian woman who married in 1993 a Gaza resident, had appealed to the High Court of Justice against a decision to deport her to Egypt. Since their marriage the couple applied twice for a resident's permit for the women, in the framework of family unification, but were turned down. (Ha'aretz, 12, 15, 16 and 17 March 1987; Jerusalem Post, 15 March 1987)

70. On 24 March 1987, the Central Region Commander, Aluf (Major-General) Ehud Barak, issued an expulsion order against Khalil Ashour, 45, from the Askar refugee camp near Nablus. Ashour, a former security prisoner, had twice served administrative detention terms in the past. On 27 April 1987, the Central Region Commander, Major-General Ehud Barak, issued a deportation order against the chairman of the Bir Zeit University student council, Marwan Barghouti. On 9 May 1987, the lawyer of Marwan Barghouti announced that his client had withdrawn his appeal against an expulsion order issued against him the previous month. On 14 May 1987, Barghouti was expelled to Jordan. Together with him, Khalil Ashour, was also expelled. The operation was carried out under the supervision of ICRC, (Ha'aretz, 26 March 1987 and 15 May 1987; Ha'aretz, Jerusalem Post, 28 April 1987; Jerusalem Post, 10 and 15 May 1987)

71. On 31 May 1987, the commander of the Southern Region, Aluf (Major-General) Yitzhak Mordochai, ordered the expulsion of Ahmad Fath Abdol Nassor, 36, of Khan Yunis, a former security prisoner released in the prisoner exchange with Ahmad Jibril's organization in 1985. In a related development it was reported that Jihad Massalmi, 36, of the Balata refugee camp was ordered expelled, for organizing disturbances at Al-Najah University and in colleges in the region. (Ha'aretz, Jerusalem Post, 1 June 1987)

72. On 15 July 1987, it was reported that the security authorities had decided to expel Zakaria a-Nahas, from El-Direh, on charges of infiltration and recruitment. Nahas was arrested on 20 December 1985 and sentenced to 3 1/2 years' imprisonment and 2 1/2 years' suspended term. The decision to expel him reportedly followed his release from jail. (Al-Fajr, 19 July 1987)



**(d) Economic aspects****Oral evidence**

73. A number of **witnesses referred** to the deteriorating living conditions of the civilian population and described the **Qituation of workers and farmers** and the various **interferences** they were **subjected to on the part of the occupying authorities**. Specific references were made to the control exerted **by the occupying authorities** over water supplies. Problems **faced** in the agricultural sector were **stressed**, in particular **the situation of farmers in the Gaza Strip**, including **problems** related to the **citrus fruit production in that area**.

74. Referring to the general **situation** of workers in the occupied **territories**, one witness, **Mr. Ibrahim Mohanna**, **stated**:

**"Half of the Arab work-force work in that part of Palestine occupied since 1946 and are given the most difficult jobs, such as construction and farming. From their wages are deducted all the usual insurance contributions, but they do not receive that insurance. And there is another special characteristic that unites all these workerer they have no medical insurance for their children, they receive no unemployment pay, they are deprived of unioniet liberties and other human rights."** (A/AC. 145/RT. 463)

75. Mr. Ahmed **Naser referred to** the situation of farmers in the Gaza Strip:

**"Water is rationed and expensive. Also the oupply of tomatoes, cucumbers and potstoeo in the market . . . That of course reduced the price, so we used only to cover our expenses, sometimes we even used to sell at a loss, even though there was a surplus to feed ourselves. They, on the other hand, did not try to take that surplus back into Ierael because tha price of a tomato, for example, in Israel is quite hiyh, but the price of a tomato in the Gaea Strip is very cheap. Thorefore they always used to try to flood the market with any commodity. 80 I, as a simple farmer and a now one in the profession, would lose a lot . . .**

**"I romember that I attended a meeting with the official responsible for agriculture in the Gaza strip. He told us that we Qhould have 'model agriculture', but I told that official that they were not trying to give us the minimum of marketing facilities for our goods. I said, 'You want us to produce, but you ore not giving us facilities'."** (A/AC. 145/RT. 462)

76. Such accounts may be found in documents **A/AC. 145/RT.462 (Mr. Ahmad Naser) ; A/AC.145/RT.462/Add.1 (an anonymous witness) ; A/AC.145/RT.463 (Mr. fbrahim Mohanna, Mr. Abdel Kader Mohammed Hatab) ; A/AC.145/RT.464/Add.1 (an anonymous witness) ; A/AC. 145/RT.467 (Mr. Mohammad Zahdi Nashashibi) .**

**Written information**

77. On 3 November 1986, the Cairo-Amman Bank **opened** its **Nablus** branch after **Qeveral poetponemente**. It **was described as** the **first West Bank institution to resume business** following the June 1967 war. On 7 and 8 July 1987, it **was** reported

that **the head of the civil administration** in the **West Bank**, T/A (Brig.-Gen.) Efraim **Sneh**, had signed an agreement with **the director-general** of the Cairo-Amman **Bank** providing for the opening of branches of **the bank** at **Ramallah, Hebron and Jenin**. (Jerusalem Post, 4 November 1986 and 7 July 1987; Ha'aretz, 8 July 1987)

78. On 7 June 1987, the head of the civil administration of the **West Bank**, T/A (Brig.-Gen.) Efraim **Sneh**, told reporters **that** the year 1986 marked a "real economic recovery" in the **region**, and that this should **continue in the present** budget year. **Proceeds** from aquaculture **grow by** 63 per cent in 1986 and export grew by 23 per cent. Unemployment in the region remained low, but T/A Sneh said he **was aware of the problem** of Arab university graduates in the **West Bank** who did not find suitable **jobs**. The head of the civil administration of the **Gaza Strip**, T/A **Yeha'yahu Erez**, said at the same **meeting** that the most serious problem **facing the Gaza Strip** was the **"ever-increasing discrepancy between geography and demography"**, with **some** 650,000 inhabitants living in an area of 362,000 sq m, and with the natural birth rate standing at 4.6 per cent (compared with 1.9 per cent in Israel). T/A **Erez** said that development projects in the region would **be concentrated** in refugee rehabilitation projects and the improvement of water supply **in the southern Gaza Strip**. In a related development it was reported on 7 June 1987 that unemployment in the territories fell from 4.2 per cent in 1985 to 2.8 per cent in 1986, while real wages rose **by 30 per cent for Arabs** working in Israel and by 5 per cent for those working in the territories. (Ha'aretz, 8 June 1987; Jerusalem Post, 7 June 1987)

79. On 8 June 1987, the Southern Region Commander, Aluf (Maj.-Gen.) **Yitahak Mordchai**, rescinded an order, effective since mid-May 1987, that had strictly restricted commercial fishing along the **Gaza Strip coast**. **Between** 1,500 and 2,000 families in the region, **mainly in the Shati** refugee camp, reportedly depended on fishing for their livelihood. (Jerusalem Post, 9 June 1987)

80. On 2 July 1987, a report **was published** on findings of the **State Comptroller's report** on the activities of the **West Bank and Gaza Strip's** civil administration during the **1985/86 fiscal year**. **Some** of the report's major findings **were** the following :

(a) During the **period** under consideration, the Jordan Valley Jewish **settlements overstepped** their **water** quotas **by 35.6 per cent**; settlements in the **Judea area** (southern **West Bank**) overstepped theirs by **44.8 per cent**;

(b) West Bank Arabs paid **significantly** more **for** their water than did Jewish settlers, whose **water bills were subsidized by the World Zionist Organization**;

(c) Mekorot seized several **dunams** of land in **Samarita** in 1986, drilled for water in the **Judean Hills** and laid water pipes for a Jewish settlement without receiving proper **approval** or compensating local Arab landowners. The Comptroller **noted**, however, that compensation **had** since **been** offered. (Ha'aretz, 29 June 1987 and 7 July 1987; Jerusalem Post, 26, 28 and 30 June 1987 and 2, 3 and 7 July 1987)

## 2. Information concerning fundamental freedoms

### (a) Freedom of movement

#### Oral evidence

81. A number of witnesses referred to various limitations restricting the right to freedom of movement, such as the practice of house or town arrest, or travel bans.

82. Testimonies relating to restrictions to the right to freedom of movement may be found in documents A/AC.145/RT.458 (Mr. Akram Haniyeh); A/AC.145/RT.462/Add.1 (an anonymous witness); A/AC.145/RT.463 (Mr. Ibrahim Mohanna, Mr. Yuseef Zabloul); and A/AC.145/RT.464/Add.1 (two anonymous witnesses).

#### Written information

83. During the period under consideration, the Special Committee received reports from various newspapers providing information on measures affecting the freedom of movement of the civilian population. Such information included relevant details such as the date, the subject(s) of restriction, the place and type of restriction applied and, when available, the motive of the restriction. According to the information provided, restrictions such as travel bans or town restrictions had been implemented both individually, against specific persons, or collectively, against all the residents of a given town or village.

### (b) Freedom of expression

#### Oral evidence

84. In the course of his testimony, Mr. Akram Haniyeh, the deported editor of Al-Sha'ab, testified on the several ways in which the right to freedom of expression was curtailed by the occupying authorities. He evoked the restrictions imposed on any cultural manifestation that could be related to nationalist Palestinian aspirations. He gave a detailed account of the difficulties faced by the Arab press in the occupied territories, such as the implementation of laws and regulations limiting the freedom of the press, the censorship, banning or delaying in the distribution of newspapers, the interference in the daily work and different types of harassment of journalists, such as kidnapping, killing, deportation, arrests and town arrests (A/AC.145/RT.458).

#### Written information

85. On 1 October 1986, it was reported that Mahmoud Abu Zulf, owner of the East Jerusalem daily Al-Quds had alleged that the civil administration had been withholding a distribution permit for a new Palestinian evening newspaper, Al-Massa, for over three months. (Jerusalem Post, 1 October 1986)

86. On 1 October 1986, the military government ordered that the distribution of the East Jerusalem daily Al-Fajr be suspended for seven days, for failure to submit material to the military censor. (Ha'aretz, 3 October 1986; Jerusalem Post, 2 October 1986)

87. On 22 October 1986, military authorities at Nablue **reportedly summoned three local bookshop owners and the correspondent** of the East Jerusalem based women's magazine **Abaer**, and raprimanded them for distributing the magazine without a permit. Hundreds of copies of the magazine were **confiscated**. The editor and publisher of the magazine had applied for a permit to **distribute his magazine** in the west Bank and **Gaza** seven months **earlier but had not been granted one**. (Al-F&jr, 24 Oatober 1986)

88. On 22 December 1966, the distribution in the territories of tho East Jerusalem daily Al-Fajr **was banned for two weeks because** of 17 alleged **consorship violations** in recent weeks. (Jerusalem Post, 23 Deaomber 1986)

89. On 3 **March** 1987, the East Jerusalem **Al-Hakawatf** theatre was **ordered closed for 12 hours to prevent a meeting marking the first anniversary of the assassination of the late Nablue mayor zafer al-Masri**. On 24 April 1987, the Central Region Commander **issued a closure order following information that a meeting was to be held in the theatre to mark Prisoners@ Day**. On 8 July 1987, the Central Region Commander, Amrom **Mitzna**, **issued an administrative order closing the theatre, in order to prevent the holding of a ceremony commemorating the fifteenth anniversary of the death of Ghassan Kanafani, an author and playwright who was affiliated with tho Popular Front for the Liberation of Palestine**. (Ha'aretz, Jerusalem Post, 4 March 1967; Ma'ariv, 26 April 1987; Ha'aretz, 9 July 1987)

90. On 27 April 1987, the **securi:** authorities banned the **distribution of the East Jorusalom newspaper Al-Sha'ab** in the territorioo, for alleged accumulot ion of several censorship violations. (Ha'aretz, 28 April 1987)

91. On 17 Auguet 1987, the civil administration in the Gaza Strip **dismissed from his work Dr. Zakaria al-Ara, head of the Internal Department of the Nasser hospital at Khan Yunis, and chairman of the doctors' union in the Strip**. The reason for the , dismissal was given as **Dr. al-Ara's hostile article6 in East Jerusalem newspapers, including an obituary for a Rafah otudent killed at Bir Zeit by IDF soldiers' shots**. On 19 August 1987, all the hospitals in the Gaza Strip hold a two-hour **strike in protest over Dr. al-Ara's dismissal**. (Ha'aretz, 18, 20 and 21 August 1987)

#### (c) Freedom of association

##### Oral evidence

92. Problems encountered by trade unions were also evoked by some witnesses. Mr. Ibrahim Mohenna referred to the constant harassment of trade unionists;

“Out of 13 members of the Executive Committee of the Federation, only 2 have been allowed to leave the occupied territories. Those unionists have also been summoned by the intelligence sorvices of the enemy and they have been threatened that they will not be allowed to return to their work. The authorities have also tried to impose some of their agents upon the labour movement, in order to destroy that movement. . . .

"In Gaza, the General Federation of Palestinian Workers was closed down by the Israeli authorities. They are not allowed to carry out any activities. They have not been allowed to elect an Executive Board or have new members attached to the Federation. For 10 years now the Federation has been inoperative, and many generations of workers have been prohibited from carrying out any activity in Gaza. In the West Bank it is a formality only and there is no substance." (A/AC.145/RT.463)

93. Another witness, Mr. Ali Abu Hilal, described various restrictions and pressures exerted by the Israeli authorities on trade unions and their leaders. Referring to trade unions in the Gaza Strip, he stated:

"Since 1965 and up to this year, the Israeli occupation authorities have not allowed the holding of elections for those unions. The authorities have systematically refused any attempt to co-ordinate the activities of the workers, or to allow the unions to defend the rights of the workers, especially those working in Israeli enterprises." (A/AC.145/RT.464)

94. He then mentioned the situation of trade unions in the West Bank:

"The occupation authorities last October issued an order to close down the headquarters of a union at Nablus, and arrested Mahmoud Ziada, who is the General Secretary of the union. He was kept for four months under administrative detention. Also the general institution union in Ya'bad in Jenin was closed down, as were a number of other unions in Bethlehem and in Nablus. Those who are under forced residence among the unionists are increasing in number from day to day." (A/AC.145/RT.464)

95. Such accounts may be found in documents A/AC.145/RT.463 (Mr. Ibrahim Mohanna); and A/AC.145/RT.464 (Mr. Ali Abu Hilal).

#### Written information

96. On 17 October 1986, security forces placed road-blocks at entrances to the Nablus headquarters of the General Confederation of Trade Unions in the West Bank, preventing trade union activists from attending a regular meeting. (Al-Fajr, 24 October 1986)

97. On 19 October 1986, security forces raided two branches of the General Confederation of Trade Unions, at Hebron and at Abu-Die, near Jerusalem. Files and documents were confiscated. At Hebron four participants were detained. Mahmud Ahmed Ziadeh, the head of the Trade Union Confederation, was placed under administrative detention for six months. On 21 October 1986, an IDF spokesman announced that a Nablus trade union office had been closed for one year, after allegedly serving as a Palestine Liberation Organization front. The Central Region Commander, Aluf (Maj.-Gen.) Ehud Barak, extended for a further six months the order closing another Nablus trade union office. (Ha'aretz, 22 October 1986; Jerusalem Post, 22 and 29 October 1986)

98. On 4 April 1987, public service and **commercial workers in** Gaza held union elections for the first time **since** labour activity was banned in the region in 1967. The elections took place despite efforts by the military authorities to prevent them. **Soldiers** reportedly prevented people from entering the union office and removed printed ballots and ballot boxes from the office. A union activist, Talaat Laffi, was arrested on the eve of the elections and was charged with incitement. He was none the less elected. (Jerusalem Post, 5 April 1987)

(d) Freedom of education

Oral evidence

99. Several witnesses appearing before the Special Committee described the difficult problems faced by **Palestinians** in the **occupied** territories in the field of education. Reference was made to problems deriving from the implementation of Military Order No. 854; Mr. Munthir Salah, the deported President of Al-Najah University, stated in that connection:

"In 1981, they issued Military Order 654, treating universities as they treat primary and secondary schools; the objective was to control the universities and to cancel out all the benefits and privileges acquired by the students and young Palestinian people on their own territory. That Order 854 was to dominate the students, to control their entrance to and acceptance by the universities, and also to restrict the expansion of the universities, both vertically and horizontally." (A/AC.145/RT.464)

100. Mr. Badir Sumsain, from the Higher Education Department, Palestine Liberation Organization, stated the following:

"Israel ... issued Military Order 954 stipulating that no teacher or professor may work in public educational institutions, whether kindergarten, primary, secondary or higher education, without written permission from the authorities. This is direct interference with academic freedom."

101. The particular climate of tension and aggravation of the situation in universities during the current academic year, which had led to the killing of students, the repeated closure of several universities and the detention or house or town arrest of students and teachers, was referred to. Mr. Jihad Karashouli, Head of the Department of Education and Higher Studies of the Palestine Liberation Organization, said in the course of his testimony:

"The practices against our people are increasing every day and worsening every day, particularly during this academic year, 1986/87. All the universities in the occupied territories have been raided, and a large number of students have been detained or imprisoned, especially at Bir Zeit University. It was invaded, shots were fired at the students, 2 of whom were killed, while 13 others were wounded. Also one of the professors was detained. The barricades that they place on the road leading to the University impede the students and professors and prevent them from reaching their classes. . . . Bir Zeit has been closed 13 times, for a total of 550 days, and has been raided by troops 30 times, usually aiming for the

laboratories, **scientific equipment and instruments**, which were destroyed Or put out of order, The library is also **a target**. **Al-Najah University has been closed 6 times, for a total of 527 days, and raided 39 times. Bethlehem has been closed 8 times, for a total of 160 days, and raided 24 times. Hebron University has been closed 6 times, for a total of 81 days, and raided 16 times. Gaza University has been closed 8 times, for a total of 311 days, and raided 20 times. Higher education institutes have also been subjected to the same kind of treatment, with the detention of students and professors, administrative detention or house arrest or city arrest."** (A/AC.145/RT.463)

**102. Several witnesses referred to various restrictions faced by educational institutions, such as the denial of adequate buildings, facilities, equipment and books. Mr. Munthir Salah said in this connection;**

"The authorities also prevented **Al-Najah from building on old university land**. Construction was halted on one building for three years. . . . It was a political decision, with no academic or technical reason.

"The authorities also refused to allow the university to **set up a faculty of agriculture, because they know that such training ties the national more firmly to his land. We were also forbidden to set up a faculty of arts, so we set up sections in other faculties instead, giving them all the prerogatives of a separate faculty. But we were determined that agricultural training should be given, and faced with this the occupation authorities agreed that Al-Khalil (Hebron) University might set up a faculty of agriculture. Their refusal was not for academic reasons, it was a political reason.**

"As far as books, laboratories and instruments are concerned, we pay customs duty as if we were a share-holding society. **Hundreds of books and instruments are banned and cannot be used by the students, while the same books and instruments can be found in the Israeli universities. If one of those banned books is found in the possession of a student or a professor, it is a security accusation, and the person concerned is imprisoned or detained and a sentence passed against him."** (A/AC.145/RT.464)

**103. Mention was also made of measures employed by the occupying authorities in order to hinder the normal functioning of the educational institutions, such as closures and the setting of road-blocks, or the transfer of primary school children from one area to another.**

**104. Efforts to modify the curricula in accordance with the interests of the Israeli authorities were outlined in some testimonies.**

**105. Various forms of harassment that teachers and students were confronted with were evoked in a number of testimonies. such problems included administrative detention, house or town arrest, the raiding of students' houses, the revocation of teachers' permits, interference in the appointment of teachers, deportation or expulsion of university teachers or students, confiscation of books.**

106. Such accounts may be found in documents A/AC.145/RT.462 (Mr. Khalil Ashour, Mr. Marwan Barghouti) ; A/AC.145/RT.463 (Mr. Jihad Karashouli, Mr. Bader Sumeain) ; A/AC.145/RT.464 (Mr. Munthir Salah) ; A/AC.145/RT.467 (Mr. Adnan Abdul Rahim).

### Written information

#### Al-Najah University

107. On 21 September 1986, it was reported that the security authorities had not extended the work permit of the President of the Al-Najah University in Nablus, Dr. Munzer Salah. On 18 October 1986, security forces reportedly broke into the University and carried out searches. On 10 November 1986, the military authorities reportedly set up road-blocks at the entrances of the University. On 20 December 1986, IDF erected road-blocks at the entrance to the University at Nablus, preventing students, faculty members and other employees from entering the campus. On 9 March 1987, security forces raided the University at Nablus and searched the university offices. On 26 March 1987, the Central Region Commander ordered the closure of the University until 11 April 1987. On 17 April 1987, the Central Region Commander ordered the closure of the University for one week. On 3 July 1987, the Central Region Commander, Amram Mitzna, ordered the closure of the University for 24 hours, following information that students there intended to hold a demonstration to mark Palestine Week. On 17 August 1987, security forces raided the campus of the University at Nablus and confiscated printed material described as "inciting material". (Ha'aretz, 21 September 1986, 22 December 1986, 27 March 1987, 19 April 1987 and 19 August 1987; Al-Fajr, 24 October 1986, 14 November 1986 and 13 and 27 March 1987; Ma'ariv, 5 July 1987)

#### Bethlehem University

108. On 18 September 1986, road-blocks were reportedly placed on access roads to Bethlehem University. On 6 November 1986, it was reported that the military authorities had extended the closure order on Bethlehem's Freres University for another week; the University had been closed for a week on 30 October 1986 following student disturbances. On 14 November 1986, the Central Region Commander, Aluf (Maj.-Gen.) Ehud Barak, issued an order allowing Bethlehem University to reopen. On 26 March 1987, the Central Region Commander ordered the closure of the University until 1 April 1987. (Ha'aretz, 19 September 1986 and 27 March 1987; Jerusalem Post, 6 November 1986; Al-Fajr, 21 November 1986 and 27 March 1987)

#### Bir Zeit University

109. On 18 September 1986, the IDF placed road-blocks on access roads to Bir Zeit University, banning access to students and staff. On 19 February 1987, the military authorities issued an order extending the closure of the University until 21 February 1987 "in anticipation of demonstrations". On 19 March 1987, security forces raided and searched the new campus of the University. No search warrant or written order was presented. The soldiers confiscated Bir Zeit newsletters and publications from the public relations office, some 200 textbooks and other material from the Student Council office and other material from faculty offices. Private files and records were reportedly opened by the soldiers. On 13 August 1987, the University reopened after a four-month closure. The reopening



was accompanied by a warning from the West Bank military commander that the campus could be closed permanently if it became the scene of further unrest. (Ha'aretz, 19 September 1986; Jerusalem Post, 23 February 1987 and 14 August 1987; Al-Fajr, 20 and 27 February 1987 and 6 and 27 March 1987)

#### Hebron University

110. On 23 February 1987, it was reported that Hebron University was closed until 15 March 1987. (Jerusalem Post, 23 February 1987)

#### Islamic University of Gaza

111. On 16 February 1987, the military authorities ordered the Islamic University of Gaza closed for three days following demonstrations. On 22 February 1987, the University was reportedly ordered closed until 4 March 1987 after a clash between students and troops. (Jerusalem Post, 23 February 1987; Al-Fajr, 20 and 27 February 1987 and 6 March 1987)

#### Other educational institutions

112. On 24 October 1986, it was reported that the military commander of the Rafah region had issued an administrative order closing the "Beersheba" school at Rafah for seven days. The Al-Zahra secondary school for girls in Gaza was closed for 10 days, starting 22 February 1987, following the students' participation in demonstrations. On 26 February 1987 the Al-Faloujeh secondary school in Jabalya refugee camp, in the Gaza Strip, was closed down for an indefinite period. The Al-Manfaloti' secondary school for girls, at Deir al-Balah, was reportedly raided on 26 February 1987 by troops, and several arrests were made and the school was closed indefinitely. On 26 February 1987, the Israeli authorities reportedly refused to allow five students recently released from the Far'a detention centre near Nablus to return to school in Al-Khader secondary school, near Dohdohom. On 22 March 1987, the Central Region Commander ordered the closure for an indefinite period of an elementary school in the Jalazun refugee camp. The closure order followed stone-throwing incidents. On 15 June 1987, it was reported that some 200 youths would take their matriculation examinations this year in prison. This was reportedly due to the effervescence prevailing in schools in the territories over the past academic year, leading to numerous arrests among students. (Ha'aretz, 24 October 1986, 27 March 1987 and 15 June 1987; Jerusalem Post, 23 February 1987; Al-Fajr, 20, 27 February 1987, and 6 March 1987)

### 3. Information on settlers' activities affecting the civilian population

#### Oral evidence

113. In the course of his testimony, Mr. Yussef Zabloul referred to the noticeable escalation, in 1986-1987, in the number of attacks by armed settlers on unarmed Palestinian citizens. (A/C. 145/RT. 463)

Written information

114. On 6 September 1986, **IDF** forces dispersed dozens of settlers from the **Gaza** Strip who held a prayer meeting and a demonstration at the ancient synagogue in **Gaza**. On 27 September 1986, some **150** settlers from the Gaza Strip and a group of settlers from **Hebron** held prayers at the ancient synagogue in **Gaza**. On 2 November 1986, the **Gaza** District Regional Council Secretariat and the Religious Council of the district decided **that** settlers would hold prayers at the ancient synagogue in **Gaza** at the beginning of each month of the Jewish calendar. (Ha'aretz, 7 and 28 September 1986, and 3 November 1986)

115. On 2 October 1986, the Council of Jewish Settlers in the Gaza Strip decided to set up "civil defence patrols", following the **recent** wave of incidents in the region, (Ha'aretz, 3-6 October 1986)

116. On 4 October 1986, the military government lodged complaints against **5 settlers**, members of the "**Shechem**" nucleus, and evacuated **15 others**, who arrived at Joseph's Tomb in Nablus and wanted to spend the night at the site, in violation of army **orders**. On 14 October 1986, it was reported that some **70** West Bank settlers who attempted unsuccessfully to break through a military cordon surrounding Joseph's Tomb in Nablus, spent Yom Kippur fasting and praying outside the fenced-off area. They were protected by some 100 soldiers. On 19 October 1986, the "**Shechem**" nucleus members, together with yeshiva students, set up a "**sukkah**" (a booth erected for the Feast of Tabernacles for seven days, following Yom Kippur) at Joseph's Tomb, and prayed there. (Ha'aretz, 6 and 20 October 1986; Ha'aretz, **Ma'ariv**, 14 October 1986; Jerusalem Post, 14 October 1986)

117. On 14 December 1986, a group of reservist paratroopers who had just finished a month's service at Hebron, reported to Mk Ran Cohen about settlers' attitude towards the **local** population. The paratroopers alleged that the Hebron settlers 'were gradually - and with the knowledge of all the military echelons - occupying and taking control of the entire surface of the **Patriarchs'** Cave, including the Yussufiya Hall, where Jewish prayers were prohibited. The paratroopers also complained that, for each Jewish settler at Hebron there were two soldiers to protect him. (Yediot Aharonot, **15** December 1986)

118. On 13 February 1987, it was reported that villagers from **Azzun Atma** and **Beit Amin**, near Qalqilyah, were fired on by settlers when they tried to **return** to their lands. The two villages were at present surrounded by settlements. (Al-Fair, 13 February **1987**)

119. On 5 March 1987, settlers from Kiryat-Arba and Hebron reportedly smashed windows of 20 cars in Halhul, in retaliation for the stoning of 2 Egged buses earlier. On two occasions in the previous week an "Action Committee for Safe Driving on **Judea and Samaria Roads**", headed by Kiryat-Arba council member Ben-Yishai, reportedly vandalised Arab property in the Al-Arroub refugee **camp**, north of Hebron, following stone-throwing incidents. (Ha'aretz, Jerusalem Post, Ma'ariv, 6 March **1987**)

120. On 6 April 1987, settlers from Kiryat-Arba blocked the Jerusalem-Hebron road after an Egged bus was stoned as it passed through Halhul. Committee members **threw** stones and smashed car windows in Halhul **before** they were dispersed by troops. (Jerusalem Post, 8 April 1987)

121. On 12 April 1987, following the petrol bomb attack on a civilian car in which a Jewish settler from Alfei-Menashe, Ofra Moses, was burnt to death, several hundred settlers from nearby settlements drove through the town of Qalqilyah shouting slogans and smashed car and shop windows. Settlers also **set** fire to an orchard and fields in the village of Habla. (Ha'aretz, Jerusalem Post, 13 April 1987)

122. On 19 April 1987, after midnight, three **settlers** from the **Gaza Strip** allegedly kidnapped a 9-year-old child from the village of **Bani-Suheileh**, Riad Izzat al-Moughrabi, whom they suspected of stone throwing, beat him and drove him in their car in the direction of the **Erez** check-point. At the check-point the child managed to escape and reported about his kidnapping to one of the soldiers. On 25 April 1987, a police officer **reported** that the three would be charged with illegal imprisonment, trespassing, assault and breaking the public peace. On 12 June 1987, the head of the investigation department in the Gaza district police reportedly **recommended** that the three be tried on charges of illegal detention, trespassing and **assault**. (Ha'aretz, 21, 23 and 26 April 1987 and 12 June 1987; Jerusalem Post, 23 April 1987)

123. On 24 April 1987, six Kiryat-Arba settlers rioted at the **Patriachs'** Cave at Hebron. The settlers forced their way into Isaac's Hall, where they distributed to the Muslim worshippers leaflets in favour of settlement in the territories. Troop reinforcements arrived and evacuated the settlers. The IDF filed complaints with the police against the six. (Ha'aretz, 26 April 1987)

124. On 5 May 1987, during the night dozens of settlers from Alfei-Menashe, Karnei Shomron and Kedumim, led by the Gush-Emunim secretary general, **Daniella Weiss**, broke through an IDF road-block at the entrance to Qalqilyah - which was placed under curfew - smashed empty bottles against store fronts, set tyres on fire and **overturned** garbage bins and vegetable carts. The operation was reportedly in reaction to the throwing of a petrol bomb at an Israeli: **settler's** car. On 19 May 1987, a charge sheet was filed with a magistrate's court in Kfar **Saba** against Mrs. Daniella Weiss, who was reportedly facing charges of unruly conduct in a public place and of intentionally causing damage. (Ha'aretz, 7, 9 and 10 May 1987; Jerusalem Post, 7 May 1987; Ma'ariv, 8 May 1987)

125. On 9 May 1987, groups of settlers broke into Joseph's Tomb, near Nablus, and refused soldiers' orders to leave. They were evicted and taken to the military government headquarters where complaints, were filed against them. On 17 May 1987 ~~the~~ newly appointed Central Region **Commander**, Aluf (Maj.-Gen.) **Amram Mitzna** issued a restriction order against Romem Aldubi, an **Eilon-Moreh** settler, banning him from entering Joseph's Tomb at Nablus for a period of three months. The settler was reportedly served with the ban after he **had** repeatedly tried to break into Joseph's Tomb, assaulted soldiers, set up road-blocks and blocked traffic in Nablus. **According** to a report, this was one of the very rare occasions in which a Jewish

settler's presence was restricted in the West Bank. Earlier, Rabbi Meir Kahane's presence at Hebron was banned for three weeks. (Ha'aretz, Jerusalem Post, 10, 18, and 19 May 1987)

126. On 6 June 1987, some 70 armed settlers from Kiryat-Arba and Hebron, believed to be supporters of the Kach movement, rioted in the Dheisheh refugee camp; they fired in the air and set fire to two cars. Local residents threw stones at them and a violent scuffle broke out. IDF troops stepped in and dispersed the rioters. Six settlers were arrested and the camp was placed under curfew. Five more Kiryat-Arba settlers were arrested on 7 June 1987, bringing the number of suspects to 11. On 12 June 1987, a charge sheet was filed against 12 of the suspects. Six of them were charged with aggravated assault and rioting. The other seven, charged with lesser offences, were released on bail. On 19 June 1987, it was reported that the six suspects held in custody had gone on hunger strike and that other Kiryat-Arba settlers were to join them in the strike in sympathy. On 17 June 1987, the six settlers charged with rioting at Dheisheh were released on bail on condition that they remain in their homes every day from 9 p.m. to 6 a.m. and stay away from Dheisheh and Al-Aroub refugee camps. On 18 August 1987, the State Attorney's Office added two members of the Kiryat-Arba Council to the list of persons charged with rioting in the Dheisheh refugee camp in June 1987. (Ha'aretz, Jerusalem Post, Ma'ariv, 7-11, 14, 16 and 18 June 1987; Ha'aretz, 19 August 1987)

#### D. Treatment of detainees

##### Oral evidence

127. The Special Committee heard several witnesses who described conditions in detention. Most witnesses related their personal experience, covering periods of detention sometimes exceeding 10 years, and relating to harsh conditions faced in several detention centres and prisons such as Nablus, Ashkelon, Beit Lid, Al-Fara'a, Jneid, Gaza, Kfar Yona, Nafha, Ramallah, Tulkarem, Sarafana, Akha, Jalameh and Beersheba. Particular mention was made of the harsh conditions in the recently reopened Ansar 2 detention camp.

128. Most witnesses referred to various forms of ill-treatment such as physical torture and violence, psychological humiliation and isolation in solitary confinement, the lack of sanitary facilities, of adequate nutrition and clothing, the denial of relevant medical treatment, the overcrowding of cells, the denial of the right to receive visits and cultural material and information, and the preoccupying situation of detained minors.

The following are a few relevant excerpts from the testimonies:

"Of course, the food was terrible, and when we got the meal, we had only sesame oil in water and bread, that was all we had. They said, 'That is your food, and these are your blankets'. Each one was issued two blankets. I was the first in line, and when I asked the officer, 'Is this our food?' he said, 'Come here, come out, you are not allowed to speak'. I told him, 'I asked a question, I did not talk. It is my right to receive an answer'. The officer

told me, 'You are not allowed to object or to protest'. I said, 'I did not protest, I just asked a question'. Of course, on the basis of this question I was punished. I was beaten, I was tied up. I was beaten up all night . . .

"I was taken and tortured, I was put in solitary confinement. I was tied hand and foot and my hands were tied to my loge, and I was thrown on the floor, on the tiles. This lasted from 5 o'clock till 12.15, as far as I remember. There was a lot of kicking and beating by the Israeli soldiers. When I tried to move, one of my hands was completely immobilized because the rope that was tying me was very tight. All I did, therefore, was to be patient and resist collapsing." (Ahmad Naser, A/AC.145/RT.462)

x30. Another aspect outlined by a number of witnesses was the problem of compulsory work imposed on detainees and the harsh conditions of such work.

131. One witness referred to the specific problems faced by women prisoners. Most testimonies mentioned the several hunger strikes aimed at ameliorating the treatment of detainees and that had sometimes led to the death of hunger strikers.

132. These testimonies may be found in documents A/AC.145/RT.462 (Mr. Khalil Ashour, Mr. Ahmad Naser and Mr. Marwan Barghouti); A/AC.145/RT.463 (Mr. Kamal Yasin); A/AC.145/RT.464/Add.1 (an anonymous witness); and A/AC.145/RT.466 (Mr. Ali Younis) .

### Written information

#### The hunger strike by security prisoners

133. On 3 October 1986, it was reported that some 280 security prisoners held in the Hebron prison were holding a hunger strike for over one week and that 180 security prisoners held in Kfar Yona prison had also gone on hunger strike in protest against alleged deterioration in their detention conditions. The strikers were reportedly complaining of bad overcrowding. On 8 October 1986, it was reported that the hunger strike held by security prisoners had spread to the Nablus prison and was now affecting 1,590 prisoners. A prisoner who had been released from Kfar Yona prison a few days earlier alleged that guards had recently started to beat inmates frequently, to use tear gas without any justification and to humiliate the prisoners. He said guards recently started kicking the prisoners even when they were prostrate for prayers, and that the prisoners were not allowed to pray as long as they would like. He alleged that the food was inadequate and that rooms meant for 5 inmates were packed with 10. It was also alleged that at Hebron young prisoners convicted of security offences were lodged with common criminals. Many inmates had skin diseases due to mildewed rooms and lack of sunlight. The released prisoner also alleged that the authorities had started to confiscate Arabic books and magazines formerly allowed into the prison. On 10 October 1986, it was reported that the hunger strike in Kfar Yona had come to an end following a meeting between the prisoners' representatives and the prison authorities. The latter reportedly granted several of the inmates' requests. (Ha'aretz, 3, 9 and 10 October 1986; Jerusalem Post, 9 October 1986; Ma'ariv, 6 October 1986; Yedioth Aharonot, 8 October 1986)

134. On 26 March 1997, some 1,000 security prisoners in several prisons went on hunger strike to protest their detention conditions. The strike was observed in the Kfar Yona, Nablus and Hebron prisons. The Commissioner, David Maimon, said he would "not allow to convert the security prisons into schools for terrorists", and he was determined not to give in to pressure by the security prisoners. Maimon refused to meet with a committee of lawyers representing the security prisoners. He added that he was willing to consider the problem of specific prisoners. (Ha'aretz, Jerusalem Post, 27 March 1987)

135. On 1 April 1987, it was reported that some 3,000 Arab security prisoners had gone on hunger strike since the previous week, in a demand to be given the same conditions as those given to criminal prisoners in Israel. According to the strikers' lawyers their number reached almost 4,000. Mohammad al-Hourani, who was released from Jneid prison one week previously, said that tear-gas canisters had been thrown into cells, and that prisoners had been beaten and put in solitary confinement for periods exceeding the 14-day legal limit. The recently appointed Prisons Commissioner David Maimon reacted to the demands by pledging that he would make no concessions to the strikers. (Ha'aretz, Jerusalem Post, 1 April 1987)

136. On 3 April 1987 it was reported that 2,000 security prisoners were still on hunger strike, but that they drank water and that none needed medical treatment. Sources in the Prisons Service acknowledged that measures had been taken recently to stop security prisoners from getting organized in the prison. In the framework of these measures certain restrictions were imposed on the prisoners, including denial of free movement between cells and prison wards. The Prisons Commissioner announced that he would no longer recognize the security prisoners' leadership institutions and their collective spokespersonship. Three prisoners from the Jneid prison applied to the High Court of Justice against the Prisons Commissioner on 2 April 1987. In their petition they said that no doctors had seen them since they began their hunger strike on 25 March 1987, and that without medical treatment they might suffer irreparable harm. (Ha'aretz, Jerusalem Post, 3 April 1987)

137. On 8 April 1987, it was reported that eight hunger-striking security prisoners had been hospitalized the previous day. According to Red Cross reports, some 1,700 prisoners were still on strike. According to prisoners' relatives they had been told by Red Cross officials that 20 had been hospitalized in recent days. (Jerusalem Post, 8 April 1987)

139. On 13 April 1987, the hunger strike by security prisoners was reportedly ended, without any contacts being made between the Prisons Service and the strikers' representatives. It was reported from the Prisons Service that Commissioner Maimon would persist in his policy of not recognizing any body claiming to represent the prisoners, be it an elected council on behalf of the prisoners or committees of lawyers representing the security prisoners. (Ha'aretz, 15 April 1987)

#### Other developments

139. On 5 September 1986, it was reported that Arab detainees at the Russian Compound in Jerusalem had told their relatives that hygiene in the prison was

deteriorating and that **as a result of the use of dirty blankets skin diseases** were frequent among the detainees. The taenaga prisoner<sup>8</sup> in Hebron Prison reportedly sent a letter of aomplaint to **ICRC** and to lawyer **Walid al-Pahoum** of Nazareth in whiah they **protested** over **their** separation from **other Palestinian prisoners**. (Al-Fajr, 5 September 1986)

140. On 14 September 1986, two seourity **prisoners** in **Nablus** prieon were **ohoked to death in their sleep** by a oell mate, Ibrahim A-Ray, 19. (Ha'aretz, Jerusalem Post, 15 September 1986)

141. On 15 September 1986, Amnesty International published allegations of torture and ill-treatment of prisoner<sup>8</sup> in the territories. Detailed **allegations** of torture were made by Adnan **Mansour Ghanem**, who was deported to Jordan in February 1986 after being held for three monthe in **Gaza** prison. Souraea at the Juetioe Minietry **said** on 15 September 1986 that the Minietry was making an effort to aomplete, within a **short tire**, an investigation into allegations that **Ghanem's** lawyer, Lea **Tsemel**, had submitted in February 1986. (Ha'aretz, Jerusalem Post, 16 September 1986)

142. On 15 **October** 1966, the Co-ordinator of Aotivitieo in the **Territories**, Aluf (**Maj.-Gen.**) Shmuel **Goren**, during a **press** tour of **Far'a** detention centre, denied allegations made by Amnesty **International** in its 1986 report that Palestinian **security** prisoners were **tortured** and beaten in Israeli prisons. He admitted that there might be "deviations" in which **abuses** of Palestinian **prisoners** did **occur**, but **declared** that **officers** guilty of eueh **incidents** were brought before a military court and punished. (Ha'aretz, Jeruoalem Poet, 16 October 1996)

14s. On 17 Oatober 1986, seourity **forces** reportedly beat and brutally **dispersed** a **crowd** of some 250 women **outside** the Hebron prison **protesting against** detention conditions. **According** to an eye-witnese **four persons** were **arrested**: two women, en **85-year-old** man and a **14-year-old** boy. On 10 **October** 1966, secur Lty forcea in **Jerusalem** uaed olube to **disperse** a peaceful demonetration of women **protesting against** their **sons'** detention conditions. (Al-Fajr, 24 October 1986)

144. On 28 **October** 1986, **Bassam** All-Sarim, 18, from **Qalqilyah**, a aonvioted prisoner sentenced to four years' imprisonment and hold in the Ayalon prison, **was strangled by two inmates**. (Jerusalem Post, 30 October 1986; Ma'ariv, 19 October 1966)

145. On 21 November 1986, a security **prisoner**, Amer Mahmoud Abd el-Salim **Qarusna**, 22, from **Beit-Hanun**, **was strangled** to death in his cell in the **Gaza** prison. (Ha'aretz, 23 November 1986)

146. On 14 December 1986, it was reported that a detention facility similar to the **Ansar** camp in Lebanon, but **smaller**, had **been** set up in the **Gaaa** Strip the **previous** week, to detain **local residents accused** of disturbing the peace. Ninety such pereone, including **children**, had reportedly been detained in that **camp** over the previous week. On 17 December 1986, at a **press** conference **organized by the** head of the Palestinian Red Crescent Society in the **Gaza** Strip, **former prisoners** held **at** the new detention facility near Sheikh Ajloun, in the **Gaza** Strip, referred to the **severe conditions** they had allegedly been submitted to eueh **as** humiliating

practitioner, physical violence and denial of adequate legal counsel, On 19 December 1986, it was reported that the new detention centre in the Gaza Strip had been closed down the previous day by decision of the Southern Region Commander, Aluf (Maj.-Gen.) Yitahak Mordekhai. The "few dozen" detainees left in the camp were reportedly released. However, Palestinian sources in Gaza said more than 15 had been transferred to the Gaza prison. On 24 February 1987, the IDF organized a press tour of the Gaza detention camp, known as Ansar 2, which was reopened recently. Some 142 local residents, aged 14 to 33, were being detained in the facility. No family visits were allowed but lawyers and Red Cross officials were permitted to see the inmates. On 13 March 1987, a group of prisoners held at the Ansar 2 detention camp, complained to lawyer Folicia Langer, at the Gaza military court, of detention conditions in the camp. Adv. Langer transmitted the complaint to Defense Minister Yitahak Rabin and to the Attorney General Yooseph Harish. It was later reported that 90 detainees held at the Ansar 2 camp began a hunger strike to protest the conditions in the camp. On 6 May 1987, it was reported that Ansar 2 would shortly become an ordinary prison for security prisoners. (Ha'aretz, 14, 18 and 19 December 1986, 25 February 1987, 15 March 1987 and 6 May 1987; Jerusalem Post, 18 and 21 December 1986, 25 February 1987 and 15 March 1987; Ma'ariv, 25 February 1987; Al-Fajr, 20 March 1987)

147. On 6 February 1987, two Knesset members, Tawfiq Toubi and Tawfiq Ziad of the Democratic Front for Peace and Equality, visited the Jneid prison at Nablus. The prisoners alleged that they had been subjected to frequent and violent searches by the guards. They described an incident on 27 January 1987, when guards sprayed the prisoners with tear gas to quell clashes, after the guards allegedly insisted on conducting a forced search of the cells. As a result of the incident several inmates were reportedly injured or lost consciousness and at least one of them had to be hospitalized. Other demands made by the prisoners during the visit included the improvement of medical care and the quality and quantity of food, a solution to the problem of overcrowding, ending the isolation of young political prisoners from the rest of the political prisoners and the right to form a committee to represent the prisoners with the prison administration. (Al-Fajr, 20 February 1987)

148. On 1 March 1987, a security prisoner in the Gaza prison, Abd al-Rahim Mansour, 38, was murdered by another security prisoner who suspected him of collaborating with the prison authorities. The Prisons Service Commissioner appointed a commission of inquiry to investigate the case. (Ma'ariv, 2 March 1987)

149. On 19 March 1987, it was reported that a Palestinian woman, Naila Ibrahim, 26, arrested on suspicion of belonging to the Democratic Front, had miscarried as a result of beating and other maltreatment during interrogations at the Russian Compound at Jerusalem. In an affidavit to her lawyer, Folicia Langer, Mrs. Ibrahim said she was arrested on 19 February 1987, on suspicion of membership of a hostile organization in 1983. When arrested she told her interrogators that she was pregnant, but they told her: "We don't care, you are like a man", and beat her. When she began haemorrhaging and vomiting she was accused of feigning sickness. Mrs. Ibrahim had a pregnancy test at the Gaza Blood Bank on 15 February 1987 and the test was positive, but Adv. Langer was told by the district police doctor on 18 February 1987 that her client had never been pregnant. On 1 March 1987, a judge at the military court in Ramallah ordered that she be given a medical examination



urgently, but only on 14 March 1987 was she taken to a Jerusalem clinic for on examination. No one gave her the results of that examination. On 23 March 1987, Mrs. Ibrahim was released on bail of **IS 1,000 (\$650) by the Ramallah military court**. A petition was earlier published by 140 Israeli women expressing shock over Mrs. Ibrahim's treatment and demanding that those responsible be brought to justice. (Ha'aretz, 20 and 24 March 1987; Jerusalem Post, 19 and 24 March 1987)

150. On 8 April 1987, it was reported that Izzu al-Awawdeh, 35, a resident of the village of Kharasa, near Hebron, who became blind while in detention in Hebron two weeks earlier, alleged that his blindness was caused by electro shocks applied to him during the interrogation. On 25 March 1987, he was hospitalized in the Hadaesah hospital at Jerusalem, for neurological and psychiatric tests. His lawyer, Ali Gazlan, filed complaints with the Minister of Police, the Prisons Commission and the Attorney-General. (Ha'aretz, 8 April 1987)

151. On 9 April 1987, it was reported that the Judge Advocate General's office decided to put on trial four reservists who were involved in beating detainees in the Ansar 2 detention camp in Gaza. Two were already tried, convicted and fined. (Ha'aretz, 9 April 1987)

152. On 1 May 1987, a security prisoner held in the detention wing of Beersheba gaol, Fawzi Bassam Abu Mutslek, 19, was reportedly murdered by another security prisoner, Fuad Abu-Kuoh, 16, from Rafah, who confessed to the murder. (Ha'aretz, 3 May 1987)

153. On 21 May 1987, it was reported that according to an IDF commander in the West Bank, there were at present 350 detainees in the detention facility at Far'a, which was designed for a maximum of 150 detainees. Furthermore, owing to the overcrowding in other gaols in Israel, convicted prisoners who were sentenced to prison terms were sent to serve their sentences in Far'a, even though it was designed as a pre-trial facility. (Ha'aretz, 21 May 1987)

154. On 29 May 1987, it was reported that the State Attorney's office had decided to grant the request of a detainee, Abed Fatah Said, to be transferred from the Tulkaram gaol to another prison, due to torture and ill-treatment during his interrogation. (Ma'ariv, 29 May 1987)

155. On 19 June 1987, the trial began, at the southern region military court, of an IDF lieutenant and five military policemen and soldiers on charges of repeated cases of physical assault, verbal humiliation and other abuses committed during their service at the Gaza detention camp, Ansar 2, in the Gaza Strip. (Ha'aretz, Jerusalem Post, 21 June 1987)

156. On 12 July 1987, a trial was opened at the military court of the southern command of six soldiers charged with ill-treatment of detainees at the Ansar 2 detention camp in the Gaza Strip. Sergeant David Nassinian confessed to having beaten and ill-treated detainees. Reserve soldiers appeared in the court as witnesses for the prosecution and described a long series of abuses inflicted by the defendants on detainees. On 27 July 1987, S/A (Lt.-Col.) Yehiel Moran testified in the trial of the six soldiers charged with ill-treatment of detainees

at Ansar 2. S/A Moran told the court that during the first day following the opening of the camp all the Arab detainees taken there, including **12-year-old** children, were left in **the** cells with their hands and feet tied. In the **course** of the **reception procedure** detainees were left to stand in the open air, in **cold** and rainy weather, **with some** of them almost naked, he said. (Ha'aretz, 13 and 26 July 1987)

157. On 15 July 1987, Prisons Commissioner David Meimon held a **press tour** of the Hebron gaol. During the tour inmates complained of regular beatings by warders, inadequate medical treatment, poor food, **lack** of hot water and humiliating strip searches. They **said** tear gas had been used in the **cells** in March when prisoners refused to allow **new** prisoners into already overcrowded **cells**. Maimon conceded that overcrowding was a "**terrible** problem". Referring to **changes** he introduced in prison **policies**, which had sparked off **large-scale** hunger **strikes** earlier in the year, Maimon said that "**all rules** and regulations (that had been abolished by his predecessor Arafat in **Switzerland**) have been reinstituted". (Ha'aretz, Jerusalem Post, Ma'ariv, 16 July 1987)

158. On 21 July 1987, a detainee held **in Jenin** prison died in unclear **circumstances** as he was taken to be interrogated. Awad Hamdan, 23, from Aramin, near Tulkarem, was arrested on 17 July 1987 on **suspicion** of membership in a hostile **organization**. The detainee's family said he died **as a** result of torture. On 29 July 1987, it was **reported** that Adv. Felicia Lenger, the Hamdan family's lawyer, had sent a letter to the Ministers of Defence and of Police, to the Attorney-General and to the committee looking into the interrogation methods of the General **Security Services**. Adv. Lenger **accused** the latter's interrogators of **causing Hamdan's** death and demanded that the inquiry **of** the case be thorough and that those responsible be **punished** for their deed. (Ha'aretz, 24 and 29 July 1987; Jerusalem Post, Ma'ariv, 24 July 1987; Al-Fajr, 2 August 1987)

159. On 27 July 1987, the military court in Ramallah acquitted Nasser Nimr Iyad, 22, an Al-Fajr employee from Kalandiya refugee camp, of charges of membership of the **Fatah** and recruiting others. Iyad was held **in prison** for 60 days. He alleged **that** during that time he had been **subjected** to all **kinds** of torture, including brutal beating on all parts of **his** body and **psychological** torture. (Al-Fajr, 2 August 1987)

160. On 7 August 1987, the Prisoners **Friends Association** (a Nazareth-based **association** defending the **rights** of Arab prisoners) sent a letter to Arab **Knesset** members and ICRC, in which it complained of an alleged deterioration in the **prisoners' situation**, following the designation of David Maimon as head of the Prisons Authority, (Al-Fajr, 16 August 1987)

161. On 13 August 1987, charge sheets were filed with the military court of the southern region against three IDF soldiers on charges of severely ill-treating a Khan Yunis resident. According to the charge **sheets** the soldiers arrested **Sarhian Abu Sa'lik** on 12 April 1987 after he had refused an officer's order to extinguish a **burning** tyre. The military prosecutor accused the three of **ill-treatment**, damaging the IDF by overstepping authority and illegal assault. (Ha'aretz, 14 August 1987)

## E. Annexation and settlement

### 1. Policy

#### Written information

162. On 1 **September** 1986, it was reported that the management of the **Investment Centre** had approved the **creation** and expansion of industrial **plants in the** West Bank and the **Gaza Strip** at a cost of \$6.256 million. On 14 **September 1986**, the **same body** earmarked an additional \$1.1 million for the creation of industrial **plants in five West Bank settlements; Kedumim, Ofra, Shilo, Hadar Beitara and Nevo-Tzuf.** (Ha'aretz, 1 and 15 **September 1986**)

163. On 20 **September** 1986, Foreign **Minister Yitzhak** Shamir said in a radio interview that he intended, after **becoming** Prime Minister, to **increase** the number of settlements in the territories "**within the framework** of our economic limitations and the coalition agreement", which called for the establishment of up to 27 **new** settlements in the territories. In the **same** context, it was reported **that over** 20,000 Jews had settled in the **west Hank** since the establishment of the "national unity" Government in October 1984, 13,000 of them **over the past year.** According to a **demographic** survey carried out by the IDP, the **Jewish population of the West Bank and Gaza Strip** at present stood at some 60,000. (Ha'aretz, 24 **September 1986**; Jerusalem Post, 21-24 **September 1986**; Yediot Aharonot, 23-24 **September 1986**)

164. On 13 November 1986, Prime **Minister Shamir met**, for the first time since he took off **ice**, with a Gush **Emunim** delegation. Shamir said he supported the idea of settling "**in all parts of the Land of Israel**" and asked that plans in writing be **submitted** to him, but he explained that, given budgetary and coalition-linked constraints, he preferred, for the **time being**, to **expand** existing settlements, and create new **ones** only at a later stage. (Yediot Aharonot, 12 **November 1986**; Jerusalem Post, 13 **November 1986**; Ha'aretz, 14 **November 1986**)

165. On 9 December 1986, a Housing Ministry official reported that a plan that **WAS** being completed by Minister David Levy comprised six **new** Jewish settlements in the territories. Mr. Levy also announced at the meeting that construction **had just** begun of a new **housing project** in the Jewish quarter of **Hebron.** (Jerusalem Post, 10 and 17 **December 1986**)

166. On 25 June 1987, an agreement was reached **between** Prime **Minister** Shamir, Finance Minister Moshe **Missim** and Housing Minister David Levy on finding the funds necessary for the establishment of two new settlements in the territories, whose creation had been approved by the Cabinet. The Ministers also decided to **expand** existing settlements and to build bypass roads near Qalqilyah and Dheisheh. (Jerusalem Post, 28 **June 1987**)

167. On 15 July 1987, the Chairman of the Tehiya party, **Yuval Ne'eman**, told his party's central **committee** that Prime Minister Shamir had promised **that** "thousands of new housing **starts**" would be carried out in the West Bank in the next **18 months** - including 3,000 in 1987 and a further 3,000 in 1988. According to **Ne'eman**, the **Likud** also accepted a plan formulated jointly by Tehiya and the

**"Council of Settlements of Judea and Samaria" for construction** of new roads on the **West Bank**. The **Likud** further undertook to speed up the **construction** of **Avenei-Hefeta** and **Hadar Boitar**, two of the six settlements whose establishment was provided for in the Government's guidelines. (Jerusalem Post, 16 and 28 July 1987)

## 2. Measures

### Oral evidence

168. In the course of his testimony, a witness referred to the arbitrary seizure of land by the Israeli authorities:

**"Any** land in the West Bank is threatened with expropriation or confiscation **for 'security reasons'** or for reasons that are allegedly legal. There is no law that gives the **Government** the right to expropriate my land, but in **most** cases they allege that it belongs to the State, or it is **close** to the property of the State, **or** it must become the property of the State for **security reasons**. Then it is used for a settlement, whose settlers **practise violence** and expansion, **thus** forcing farmers **to** emigrate."  
(A/AC.145/RT.464/Add.1)

### Written information

169. On 1 September 1986, a **ceremony** was held at the Nahal outpost of **Beit-Ha'arava**, in the northern Dead Sea area. The **ceremony** marked the turning of the outpost into a **civilian settlement**. (Ha'aretz, 2 September 1986)

170. On 5 September 1986, it was reported that landowners in the West Bank **villages of Salfit and Iskaka**, south of Nablus, had recently been notified of a **decision** to **declare** 4,008 dunams of their lands as State **owned**. A week earlier 3,000 dunams of land belonging to Bidya villagers, in the same area, had also **been** declared State owned. (Al-Fajr, 5 September 1986)

171. On 8 **October** 1986, the inauguration ceremony was reported of two new settlements in the **Gaza Strip**, "**Bedolah**" and "**Bney-Atzmona**". Deputy **Prime Minister** and Housing Minister David **Levy** promised at the **ceremony** that the Government would expand **settlement** in the region. (Ha'aretz, 9 October 1986)

172. On 21 **October** 1986, a ceremony **was** held at the **settlement** of "**Kokhav-Yair**", in "**Western Samaria**", to mark the beginning of the settlement's population. (Ha'aretz, 22 October 1986).

173. On 18 November 1986, the High Court of **Justice** rejected a petition by Arab residents of the Sur Bahir suburb of Jerusalem demanding the return of **some 500 dunams** of land expropriated in 1970. (Jerusalem Post, 19 November 1986)

174. On 2 December 1986, the military authorities reportedly informed the mukhtars of the villages of **Urif**, Burin and **Asira al-Qibliya**, all in the Nablus district, of a decision to **confiscate** 700 dunams of their land. On 9 December 1986, the

mukhtars of the villages of Kafr Qaddum, Beit Lid and Qusin, all in the Nablus district, were informed of the confiscation of 10,000 dunams of their land. (Al-Fair, 5 and 12 December 1986)

175. On 2 December 1986, Housing Minister David Levy told a correspondent that more than 2,700 homes had begun being built in Jewish settlements in the territories since the formation of the national unity Government. (Jerusalem Post, 3 December 1986)

176. On 23 December 1986, the authorities reportedly uprooted some 1,000 olive seedlings near the village of Zawiya, in the Nablus area. (Al-Fajr, 25 December 1986)

177. On 8 February 1987, the Housing Minister, David Levy, inaugurated the construction in the "Jewish courtyard" section in the centre of Hebron. (Ha'aretz, 8 February 1987)

178. On 10 February 1987, hundreds of residents of the West Jerusalem neighbourhoods of Talpote and Arnona, and the East Jerusalem Jewish neighbourhood of East Talpote, joined Arabs from the neighbouring village of Sur Bahir in a protest against the planting of a pine forest on agricultural land cultivated by the villagers. Mayor Teddy Kollek participated in the demonstration. (Jerusalem Post, 11 February 1987)

179. On 25 March 1986, Minister David Levy laid a cornerstone to the new town of Beitar, in a ceremony that was disturbed by Jewish demonstrators from development towns, protesting against "wasting money on settlements", rather than spending it on real social problems. (Ha'aretz, 18, 19 and 26 March 1987; Jerusalem Post, 26 March 1987)

180. On 25 May 1987, Housing Minister David Levy took part in a ceremony in Eilon Moreh to lay the foundation stone for a new residential area, called "Givat Rami", and named after Rami Haba, the 8-year-old boy murdered near the settlement several days earlier. When completed Givat Rami would house 50 families. (Jerusalem Post, 26 May 1987)

181. On 29 May 1987, it was reported that according to a report by the World Zionist Federation's Settlement Department, the Jewish population in the West Bank stood at 60,500 at the end of 1986. The largest settlements were Ariel (6,500 inhabitants), Maaleh-Adumim (12,400), Immanuel (4,000), Givat-Ze'ev (3,900) and Kiryat-Arba (4,440). There were 118 settlements and 21 outposts. Some 13,500 housing units were occupied and some 1,040 were still empty; 2,821 were under construction. (Ha'aretz, 29 May 1987)

182. On 24 June 1987, the military court in Nablus sentenced Ahmed Odeh, a prominent West Bank land-dealer to 4 1/2 years' imprisonment and fined him Is 750,000 (approximately \$470,000) for fraud and bribery. Odeh was convicted on eight counts of fraud involving West Bank land that was sold to Jews between 1980 and 1986 for settlement. Among other things, he forged documents of Arab land-owners who did not want to sell their land to Jews. (Jerusalem Post, 25 June 1987)

183. On 29 July 1987, absentee property officials reportedly ordered the expropriation of 700 dunams in Yasuf and **Jamian** villages, in the **Nablus** district. The villagets filed objections against the expropriation. On 11 August 1987, it was reported that over 500 dunams were declared a closed military area in the **two** villages. Local villagers claimed that the land affected amounted to **over** 1,500 dunams. (Al-Fajr, 2 and 16 August **1987**)

184. On 23 August 1987, a group of pupils of the "**Ateret Kohanim**" yeshiva, in the **Muslem** Quarter of Jerusalem's Old City, moved into a building in the Muslim Quarter. The move was reportedly **co-ordinated** with the army and police forces. Under an arrangement reached on the initiative of the "**Ateret Kohanim**" **association**, the yeshiva pupils moved into 6 of the 13 **rooms** that made up the building. The remaining seven **rooms** would continue to be occupied by Arab families. (Ha'aretz, 24 August 1987)

#### F. Information concerning the Golan Heights

##### Oral evidence

185. In a statement delivered before the Special Committee at Damascus on 11 June 1987, Mr. El-Fattal, Deputy Minister for Foreign Affairs of the Syrian Arab Republic, referred to the situation **in** the Golan Heights:

"First of all, there are the questions of settlement and annexation and judaization, which can **be** seen through the decisions of the Israeli Government to annex the Golan Heights in 1981 and to apply legal jurisdiction and legal administrative **authority** over the Golan Heights and its inhabitants, and also its decision in 1982 to impose Israeli citizenship or identity cards on the Arabs in the Golan Heights . . .

"Secondly, since the occupation of the Arab Golan Heights in 1967, the **Israeli** occupation authorities, on the basis of orders by the military **rulers**, have started a series of confiscations and cases of exploitation of the Arab territory, all under arbitrary laws that have been promulgated by that **Government** especially for that purpose . . . To date Israel has built more **than** 40 settlements in the occupied Golan Heights,

"Thirdly, Israel is taking over water resources and diverting them to cater for the new Israeli settlements, thereby trying to force the Arab inhabitants to abandon their property. In addition, the Israeli occupation authorities have a monopoly of the right to dig new wells and **do** not give any permits **to** the Syrian citizens to dig their **own** wells. As a matter of fact, the Syrians do not have, and cannot have, access to drinking water for domestic purposes and for household purposes.

"**Fourthly**, among the most serious of these exploitative practices has been not only the deterioration of agricultural life in all its forms and shapes in the Golan Heights, but **also** a deterioration in the situation of industry and other related economic fields of activity . . .

**"Fifthly, and a more important element, are those criminal acts which Israel perpetrates and which can be categorised as arrests, murders, assassinations, oppression, repression, expulsions, forced residence and the suppression of freedom of expression . . .**

**'Sixthly, these practices we have referred to have necessarily led to the deterioration of health conditions in general for the occupants of the Golan Heights. In addition, there are obstacles placed by the occupation authorities in the way of Arab citizens needing services and health care. They cannot utilise those services because of the expense involved. Therefore it was no surprise that the world Health Organization, in a resolution it adopted last month, condemned Israel for the deterioration of the health of the inhabitants of the occupied Arab territories as a result of the occupation itself.**

**"Seventhly, we speak of labour rights and union freedom. The situation of the Arabs in the occupied territories cannot be divorced from the totality of inhuman circumstances and inhuman conditions experienced by the inhabitants in the absence of any humane treatment or the application of any laws . . . The Arab workers in the occupied territories, including the Golan Heights, do not have freedom of association, do not have the freedom of union rights . . .**

**\*Then eighthly, I speak of educational institutions . . . In the occupied Syrian Golan Heights our citizens are suffering a grave deterioration in their standard of education, either in terms of the quality of the curriculum or in terms of the school buildings themselves which do not comply with specifications for educational institutions, and therefore cannot offer the right atmosphere for the children to study. Also, the institutions cannot absorb the great number of Arab children studying in this area. Schools in the villages of Majdal Shams, Ein Al Tina and Mas'ada are completely unsatisfactory, and it is the citizens, in spite of their very difficult living conditions, who contribute to the building of schools . . ."**

**186. Mr. Shakib Abu Jalal, a witness who formerly lived in Majdal Shams, gave an account of the problems faced by the civilian population in the Golan Heights. He referred to the series of arrests that had taken place in the area since the beginning of 1987; he drew attention to the fact that about 65 per cent of the area of the occupied Golan had been closed under security pretexts. He stressed the very grave economic situation, and the harassment of civilians. (A/AC. 145, ¶T. 466)**

#### **Written information**

**187. On 7 September 1986, the Nazareth District Court sentenced Mahmoud Abu Zaid, a resident of the Golan Heights village of Majdal Shams, to six months' imprisonment. He was convicted of incitement during a demonstration held in February 1986 against the Israeli authorities. (Al-Fajr, 12 September 1986)**

**188. On 3 November 1986, it was reported that the security forces had dismantled a group whose three members, all from Majdal Shams, had allegedly broken into an armoury in a moshav in the area and stolen a variety of weapons. In another**

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development it was reported that security forces had arrested two youths, including Fahod Safadi, 18, from Mas'ada village on the Golan Heights, on suspicion of planning terrorist attacks against IDF troops in the area. (Ha'aretz, Jerusalem Post, 3 Nova, 1986)

109. On 12 February 1987, the head of the Golan regional council (of Jewish settlements) reported that some 500 settlers had left the Golan settlements and the town of Katzrin in recent months. Many more families were expected to leave the area towards the end of the following school year, he said. (Ha'aretz, 13 February 1987)

190. On 14 February 1987, violent demonstrations and clashes with security forces marked the fifth anniversary of the imposition of Israeli law on the Golan Heights. Eight policemen and border guards were injured in the clashes and 11 residents were arrested. The largest demonstration took place in Majdal Shams, where hundreds of participants shouted pro-Syrian slogans. Demonstrators confronted the security personnel. The Northern Region Commander declared off-limits to the residents an area adjacent to the Syrian border where residents often gathered and exchanged messages across the border. The demonstrators tried, despite the ban, to reach the area and hold a rally there. A large force of police and border guards, equipped with riot gear, blocked the road and later fired tear gas into the crowd. Residents maintained that the presence of the large police force had acted as a provocation. In previous years similar demonstrations passed off without incident. Demonstrations were also held in the other villages, Mas'ada and Buk'ata. (Ha'aretz, Jerusalem Post, Ma'ariv, 15 February 1987)

191. On 21 February 1987, serious disturbances were reported in Mas'ada after police tried to detain a local secondary school student who had taken part in a scuffle between Majdal Shams and Buk'ata students the previous day. One student was injured in the scuffle. When police arrived in Mas'ada to detain the student, they were surrounded by dozens of shouting villagers. The incident developed into a mass anti-Israeli demonstration. (Ha'aretz, 22 February 1987)

192. On 8 March 1987, riots were reported in the village of Buk'ata. Ten policemen were hurt and a local woman, Rayil Farhad, 50, was seriously injured, and later died of her wounds. The demonstration was held to mark the twenty-fourth anniversary of the Baath Party's rise to power in the Syrian Arab Republic. Several hundred pupils blocked the Buk'ata-Mas'ada road, unfurled Syrian flags, shouted anti-Israeli slogans and threw stones at policemen who tried to disperse them. Many demonstrators were detained for questioning. On 10 March 1987, the funeral of the woman turned into a pro-Syrian demonstration. (Ha'aretz, 9 and 11 March 1987; Jerusalem Post, 9, 10 and 11 March 1987)

193. On 22 March 1987, IDF soldiers fired shots in the air to disperse stone-throwing youths in Majdal Shams. The youths cowardly tried to attack the soldiers and the latter had to fire in the air to prevent further demonstrations. (Ha'aretz, 23 March 1987)

194. On 1 April 1987, the military court at Lod sentenced five Golan youths to prison terms. Muhammad Abu Malak, 23, Muti' Wuhabi Abu-Salam, 21, and



Kanj **Ismail Abu-Salah**, 19, from Majdal Shams, were convicted of having broken into the arms depot of the Neve-Ativ settlement, on the Golan, and having stolen **arms** and ammunition. They were each sentenced to 10 years' imprisonment and 5 years' suspended term. **Farid** Aref Shafadi, 19, from **Mas'ada**, was sentenced to 4 1/2 years' imprisonment and 4 1/2 years' suspended term for membership of the Popular Front organisation and for throwing a petrol bomb at a military vehicle and a bus in October 1986. No details were given about the fifth person. (Ha'aretz, 2 April 1987)

195. On 9 April 1987, it was reported that police had arrested seven Golan residents, from Majdal Shams, **Mas'ada** and **Buk'ata**, on suspicion of organising pro-Syrian demonstrations, raising the Syrian flag on public buildings and attacking police. The arrests were made during a thorough search of 20 houses on 7 April 1987 during the night. (Ha'aretz, Jerusalem Post, 9 April 1987)

196. On 10 April 1987, a statue of Sultan al **Atrash**, a leader of the Druze rebellion against the French in 1925, which had been unveiled in the centre of Majdal Shams eight days earlier, was sabotaged by unidentified persons. This led to clashes between local residents and police who arrived on the spot to conduct an inquiry. Kiryat-Shmona police chief Moshe Cohen was injured in the head when demonstrators threw stones at his car. He was hospitalized. On 12 April 1987, a suspect was arrested for 10 days. He was named as Adel **abu-Jabal**, 55, from Majdal Shams. (Ha'aretz, Jerusalem Post, 12 April 1987; Ma'ariv, 15 April 1987)

197. On 17 April 1987, hundreds of police and border guards prevented demonstrations in the four villages on the Golan to mark the Syrian independence day. It was reported that, following discussions at the highest echelons of the police, it was decided to introduce, as at 17 April 1987, an "iron fist" policy against rioters and persons who broke the peace among the Golan Druze. Police would react promptly and with force to any attempt at rioting, illegal gathering or assaulting policemen. (Ha'aretz, 17 April 1987; Jerusalem Post, 19 April 1987)

198. On 24 April 1987, it was reported that the police had decided to set up a large standing border-guard unit and to station it in the northern Golan. The unit's task would be to **police**, protect, maintain public **order and assist** in dealing with security events. The decision followed the recent incidents and tension in the villages in the area, but was also designed to strengthen the operational police force in northern Israel. The new unit would undertake, when necessary, police and security tasks throughout the Golan Heights and in northern Israel. The new unit would be subordinate to the Galilee area police. (Ha'aretz, 24 April 1987)

199. On 15 July 1987, it was reported **that** the National Insurance Institute had decided to stop collecting national insurance payments from villages on the Golan, due to the failure of the police to provide protection. The previous week a team of collectors, escorted by police and border guards, had to leave the area when angry crowds threatened them. (Jerusalem Post, 15 July 1987)

## V. CONCLUSION8

200. The present report has been prepared in accordance with the mandate of the Special Committee as renewed by the General Assembly by its resolution 41/63 D of 3 December 1986.

201. Section II contains a description of the organization by the Special Committee of its work during the period from 10 September 1986, the date of adoption of its last report (A/41/680). As may be ascertained from section II, the Government of Israel continued to withhold its co-operation from the Special Committee. On the other hand, the Special Committee benefited from the co-operation of the Governments of Egypt, Jordan and the Syrian Arab Republic, and of the Palestine Liberation Organisation. Section III spells out the mandate of the Special Committee as defined in previous years. This includes the extension of the mandate of the Special Committee to include the investigation of allegations of "exploitation and looting of the resources of the occupied territories", "pillaging of the archaeological and cultural heritage of the occupied territories" and "interference in the freedom of worship in the holy places of the occupied territories" as referred to in resolution 3005 (XXVII).

202. Section IV contains a summary of the oral evidence and written information received by the Special Committee. The Special Committee, having been precluded from visiting the occupied territories, conducted a series of meetings at Geneva, Cairo, Amman and Damascus in June of this year. At Geneva, Amman and Damascus it heard the evidence of persons from the occupied territories who had first-hand knowledge and personal experience of the human rights situation in those territories. In addition, the Special Committee followed the situation in the occupied territories on a day-to-day basis through reports appearing in the Israeli and Palestinian press. The Special Committee examined several communications and reports from Governments, organizations and individuals in the occupied territories that reached it during the period covered by the present report.

203. The conclusions contained in the present section are formulated on the basis of the information reflected in section IV. It must be borne in mind, however, in this connection, that the volume of information received and examined by the Special Committee does not permit its total reflection in the present report; the Special Committee has endeavoured within the constraints imposed by the financial situation of the United Nations to include in the report a faithful sample of the information it has received in order to illustrate the total reality of the situation of human rights in the occupied territories during the period covered by the report.

204. Section IV is divided into six parts. Section IV.A contains a summary of information relating to the general situation prevailing in the occupied territories; it is subdivided into information illustrating the general policy developments, information reflecting the increase of tension and incidents, and information on the policy of returning municipalities to local leaders. Section IV.B contains information on arrests, detention, trials and sentences passed on Palestinians in the occupied territories as well as on Israelis charged with mistreatment of Arab civilians. Section IV.C sets out information on the

treatment of civilians, including certain fundamental freedoms recognized under international humanitarian laws. It contains information on general developments in that regard, such as the harassment of civilians, the collective punishment measures including the demolition of houses, the expulsion and deportation practice, as well as economic aspects of the situation of civilians. It also provides information on measures affecting the enjoyment of fundamental freedoms such as the freedoms of movement, expression, association and education. It finally contains information of settlers' activities affecting the civilian population in the territories. Section IV.D provides information on the treatment of detainees. Section IV.E sets out information on the policy and measures implemented in view of the annexation of land and establishment of settlements in the occupied territories. Section IV.F deals specifically with information relating to the situation in the occupied Golan Heights.

205. The Special Committee reiterates the general conclusion that it reached since the outset of its activities to the effect that the occupation in itself constitutes a violation of human rights.

206. On the basis of the information and evidence before it, the Special Committee concludes that during the period covered by the present report, which coincided with the twentieth year of occupation, the general policy of the Government of Israel continues to follow the same lines as in the past. The basic principle of the policy is that the territories occupied by Israel constitute a part of the State of Israel. This policy has led to various measures to establish settlements, to expropriate property, to transfer Israeli citizens to the occupied territories and to encourage, directly or indirectly, the Palestinian population to leave their home land. Illustrative of this policy are statements by members of the Israeli Government, made during the period covered by the present report, and reflected in particular in section EI (paras. 162-167), such as the statement, reflected in the Jerusalem Post on 13 November 1986, by Prime Minister Shamir that he supported the idea of settling "in all parts of the Land of Israel". The Special Committee notes that such a policy and its implementation are in violation of the obligations of Israel under the Fourth Geneva Convention. It may be recalled that the Convention stipulates that military occupation is to be considered as a temporary, de facto situation, giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories.

207. Within this general context, and as a result of the "iron fist" policy adopted last year, the climate of tension and violence that already prevailed in the occupied territories has been intensified and reached a climax during the period under consideration. Illustrative of the intensity of this tension are incidents such as those which took place at Jerusalem following the killing of a yeshiva student, Eliyahu Amodi (para. 41), or those following the killing of two Palestinian youths at Sir Zeit university (para. 42).

208. This general climate of confrontation and repression has left its negative impact in various fields. For instance, there was during the period covered by the present report a noticeable increase in the number of arrests and, in particular, administrative detention orders passed on Palestinians. Harsh sentences have been passed, sometimes on minors, for alleged security offences. On the other hand, the

few Israelis sentenced for mistreatment of Arab civilians have been treated with relative leniency.

209. The day-to-day reality faced by civilians in the occupied territories has also been marked by the persistence and even intensification of the various forms of harassment and humiliation of the Arab population. A persistent denial of the right to family reunification has been noticed (para. 60). Even 7-year-old children have not, in some cases, been immune from indiscriminate violence (para. 61). The illegal practice of collective punishment, which in many cases penalizes innocent relatives of suspects, faced with the demolition or sealing of houses in which they lived, has continued to be applied as in the past few years.

210. Another arbitrary practice that has continued to be used against civilians is that of expulsion and deportation. The Special Committee noted in particular the case of Mr. Akram Haniyeh, a deported journalist who stressed the illegal nature of the deportation procedure used against him and outlined the political reasons behind this practice (paras. 66 and 68).

211. The report contains information on the deteriorating living conditions of the civilian population, the interferences and harassment that workers and farmers are subjected to on the part of the occupation authorities, as well as specific problems faced in the agriculture sector, in particular the control exerted by the Israelis over water resources.

212. The report of the Special Committee also contains information on various measures affecting the enjoyment of certain basic freedoms. For example, the Special Committee noted that during the period covered by the present report a number of civilians, both individually or collectively, were the subject of arbitrary orders restricting their freedom of movement. Freedom of association and freedom of the press were also affected by various measures such as censorship of the press, interference in the work and harassment of journalists and trade unionists, or closure of newspapers and trade unions. "The situation of education in the occupied territories was particularly preoccupying during the period under consideration (paras. 99-112). In addition to various problems that continued, as in the past, to affect and restrict freedom of education, such as the denial of adequate equipment and buildings, the efforts to modify the curricula, the harassment of teachers and students by, for example, administrative detention, arrest, restriction of freedom of movement, and deportation, the period under consideration was marked by particularly dramatic events leading to the death of a number of students, increased tension in the main Palestinian educational institutions, several measures of closure of those institutions and harsh repression against teachers and students.

213. The general climate of tension and repression witnessed in the territories during the period covered by the present report was also noticeable in the treatment of detainees. Various forms of ill-treatment, both physical and psychological, the lack of adequate sanitary facilities, nutrition and clothing, the overcrowding of cells, led to protests by detainees in the form of widespread hunger strikes by several thousand Arab security prisoners in most prisons and detention camps of the occupied territories (paras. 133-138). Another preoccupying

development was the opening of the Ansar 2 detention camp, where various incidents involving abuse of detainees had been reported,

214. According to information gathered during the period under consideration, the Government of Israel has continued to implement its policy of physical annexation of the territories. Settlements continued to be planned, established and expanded by forcibly expropriating Palestinian farmers and thus inducing them to emigrate and leave their homeland (paras. 162-184).

215. During the period covered by the present report, the situation in the Golan Heights has also continued to deteriorate (paras. 185-199). Violent demonstrations and clashes took place on several occasions in occupied villages of the Golan Heights, resulting in the establishment, reported in Ha'aretz of 24 April 1987, of a new border-guard unit charged with maintaining public order and assisting in dealing with security events.

216. Taking into account these various elements, the Special Committee reaches the conclusion that the situation in the occupied territories denotes a continuing deterioration of human rights and fundamental freedoms by the civilian population. The relevant provisions of the Fourth Geneva Convention continue to be disregarded. The persistent policy of annexation of the occupied territories, which meets with fierce resistance on the part of the civilian population, and the cycle of tension and repression that the implementation of such a policy involves, have led to an explosive situation that seems bound to provoke yet more dramatic events in the future,

217. The Special Committee reiterates the necessity for the international community to assume its responsibility and adopt measures to prevent further deterioration and provide adequate safeguards for an effective protection of the fundamental rights and freedoms of the civilians in the occupied territories.

## VI. ADOPTION OF THE REPORT

216. The present report was approved and signed by the Special Committee on 4 September 1987 in accordance with rule 20 of its rules of procedure.

### Notes

1/ Official Records of the General Assembly, Twenty-fifth Session, agenda item 101, documents A/8089; A/8389 and Corr.1 and 2; A/8389/Add.1 and Add.1/Corr. 1 and 2; A/8628; A/9148 and Add.1; A/9817; A/10272; A/31/218; A/32/28; A/33/356; A/34/631; A/35/425; A/36/579; A/37/485; A/38/409; A/39/591; A/40/702 and A/41/680.

Notes (continued)

2/ Official Records of the General Assembly, Twenty-fifth Session, Annexes, agenda item 101, document A/8237; *ibid.*, Twenty-sixth Session, Annexes, agenda item 40, document A/8630; *ibid.*, Twenty-seventh Session, Annexes, agenda item 42, document A/8950; *ibid.*, Twenty-eighth Session, Annexes, agenda item 45, document A/9374; *ibid.*, Twenty-ninth Session, Annexes, agenda item 40, document A/9872; *ibid.*, Thirtieth Session, Annexes, agenda item 52, document A/10461; *ibid.*, Thirty-first Session, Annexes, agenda item 55, document A/31/399; *ibid.*, Thirty-second Session, Annexes, agenda item 57, document A/32/407; *ibid.*, Thirty-third Session, Annexes, agenda item 55, document A/33/4391 *ibid.*, Thirty-fourth Session, Annexes, agenda item 51, document A/34/691 and Add.1; *ibid.*, Thirty-fifth Session, Annexes, agenda item 57, document A/35/674; *ibid.*, Thirty-sixth Session, Annexes, agenda item 64, document A/36/632/Add.1; *ibid.*, Thirty-seventh Session, Annexes, agenda item 61, document A/37/698; *ibid.*, Thirty-eighth Session, Annexes, agenda item 69, document A/38/710; *ibid.*, Thirty-ninth Session, Annexes, agenda item 71, document A/39/712; *ibid.*, Fortieth Session, Annexes, agenda item 75, document A/40/890; and *ibid.*, Forty-first Session, Annexes, agenda item 71, document A/41/750.

3/ Official Records of the General Assembly, Twenty-fifth Session, Annexes, agenda item 101, document A/8089, annex III.

4/ United Nations, Treaty Series, vol. 75, No. 973, p. 267,

5/ *Ibid.*, No. 972, p. 135.

6/ *Ibid.*, vol. 249, No. 3511, p. 215.

7/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907, New York, Oxford University Press, 1915.

8/ Resolution 2200 A (XXI),

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